

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 27, 1980
9:00 A.M.

Council Chambers
301 West Second Street

Mayor McClellan called the meeting to order.

Roll Call:

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

Absent: None

INVOCATION

Father Richard E. McCabe, St. Theresa's Catholic Church, presented the Invocation.

DR. LAURENCE D. HASKEW DAY

Mayor McClellan read a proclamation designating March 27, 1980 as Dr. Laurence D. Haskew Day. He has been named this year's Most Worthy Citizen by the Austin Board of Realtors. Dr. Haskew and his wife thanked the Mayor and Council for the proclamation. Ms. Virginia Dinan, President, Austin Board of Realtors, extended an invitation to the Councilmembers to attend the Chamber of Commerce Banquet in Dr. Haskew's honor.

MAGNA CARTA WEEK

Mr. Bill Livingston, representing the LBJ Library, accepted a proclamation which designates the week of March 29 to April 5 as Magna Carta Week. He thanked the Mayor, who read the proclamation.

CENSUS DAY

Mr. Melvin Flower and members of the Census Bureau were in the Council Chamber to receive a proclamation, read by Mayor McClellan, designating April 1, 1980 as Census Day. Mr. Flowers thanked the Mayor for the proclamation.

SHRINE HOSPITAL BENEFIT DAY

Shrine Hospital Benefit Day will be observed March 29, 1980. Mayor McClellan read the proclamation which was accepted with thanks and appreciation by John D. Pope, Jr., and John B. Robertson of the Ben Hur Shrine Chapter.

YOUTH ACTIVITY DAY

Mark Huebner and The Green Earth Gang were in the Council Chamber to receive the Youth Activity Month proclamation read by the Mayor. Mr. Huebner and members of the Gang thanked the Mayor and Councilmembers.

HERO OF THE MONTH

Mayor McClellan presented two "Hero of the Month" awards. One was for Mr. Samuel Williams of the Electric Department and the other one was for Mr. Richard Anderson, Bureau of Economic Geology.

On January 28, 1980 Mr. Williams' son Samuel Williams, Jr., began choking. Mr. Williams began the necessary steps to dislodge the object in his son's throat and restored his child's breathing while waiting for EMS to arrive. Mr. Williams, his wife and son, were in the Council Chamber for the award of a certificate and a "Be a Hero - Learn CPR" tee-shirt.

Last February 11, 1980 Richard Anderson of the Bureau of Economic Geology was working when he was notified by fellow workers that his assistance was needed. Ivan Simoes, a visiting scientist from Brazil began experiencing chest pains. Mr. Anderson stayed with Mr. Simoes until EMS arrived and assisted EMS (Emergency Medical Service) by providing chest compressions after he lost consciousness. Today, Mr. Simoes is back at work and was present in the Council Chambers to see Mr. Anderson receive his Certificate and "Be a Hero - Learn CPR" tee-shirt.

TOWN LAKE DEVELOPMENT
RECOGNITION

Mr. Leonard Ehrler, Director of Parks and Recreation, just returned from a meeting at which the Department of Interior presented special recognition for the development of Town Lake in Austin. A plaque was presented to the City of Austin. Mr. Jack Robinson, former Director of Austin's Parks and Recreation, received the plaque, since most of the development occurred during his tenure.

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following Board and Commission appointments will be made April 3, 1980:

Board of Adjustment - 1
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

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes of March 13, 1980; March 20, 1980, as corrected; and Special Meeting of March 12, 1980. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve a construction change order in the amount of \$5,993.75 to Austin Road Construction Company for Robert Mueller Municipal Airport, West Side Service Road and utilities. CAPITAL IMPROVEMENTS PROGRAM No. 78/81-12. 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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to authorize payment to the following:

FIRST TEXAS SAVINGS &
BARRINGTON OAKS JOINT VENTURE

- CAPITAL IMPROVEMENTS PROGRAM -
The cost difference for installation
of 18"/8" wastewater main in Hunter
Oaks Subdivision.
\$50,112.56 C.I.P. No. 75/23-04

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

PMC/BETA CORPORATION
530 North Belt East
Houston, Texas

- Vibration Diagnostic Equipment,
Water and Wastewater Department
Item 1 and 2 - \$6,331.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

BUTTERY HARDWARE COMPANY
105 West Main Street
Llano, Texas

- Rotary Lawnmowers, Parks and Recreation
and Water and Wastewater Departments.
Item 1, 83 ea. @ \$120.00
Total \$9,960.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

BUTTERY HARDWARE COMPANY
105 West Main Street
Llano, Texas

- Grass Trimmers and Edgers, Parks and
Recreation Department and Water and
Wastewater Department.
Item 1, 35 ea. @ \$175.00
Total \$6,125.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

ZILKER PARK BOAT RENTAL
d/b/a J. Howard Barnett
603 North 13th, Suite 115
Austin, Texas

- Zilker Park Boat Rental Concession,
Parks and Recreation Department.
Estimated Revenue to City: \$6,100.00
annually or 11% of gross receipts.
Three year contract.

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

RANDALL & BLAKE, INC.
2525 Manana
Dallas, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Lower Waller Creek Development
Phase IA - \$1,747,370.00 C.I.P.
No. 75/86-44

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 Cooke stated: "I would like to say to Mr. Davidson and his staff...Mr. Ehrler, and I know other staff was involved in this, certainly Tom Sheffleman and a lot of folks who have been waiting four years for this first phase of the Bi-Centennial Project. Certainly Mr. Robinson was very much involved in this and I am very pleased with the work that has been going on and the efforts that I know a lot of staff members have been giving to this, Dan, for the past several months and I really appreciate that. I know the citizens will too. I'm very excited to see this get under way." Mayor McClellan said: "We all echo that."

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

WHITE'S MINE, INC.
116 East Travis
San Antonio, Texas

- Amendment of Supply Agreement for
Aggregates, Grade 3 and 5, Public Works
Department. Amend supply Agreement for
an additional \$2.50/ton on an estimated
9,000 tons to provide for supplier to
lease railcars from Southern Pacific
Railroad and make shipments on schedule
to support 1980 Seal Coat Program.
Estimated Dollar Value: \$22,500.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

COOPER EQUIPMENT COMPANY
8723 Broadway
San Antonio, Texas

- Bituminous Distributor, Vehicle and Equipment Services Department.
Item 1, 1 ea. - \$18,985.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

PEAT, MARWICK, MITCHELL & COMPANY
2100 Austin National Bank Tower
Austin, Texas

- Develop a Revenue Forecasting Model, Research and Budget Department
Approximately six months contract
Total price - \$20,000.00 - Firm

Councilmember Cooke stated: "This is a very important part of financial and fiscal planning, not for the one year traditional look-out that we have been doing, but for several years and I think it is going to be extremely critical as we enter the 1980's with the way the financial picture is in this country. We've had the benefit of having a government that has been in the black, but I think this kind of modeling is going to be extremely important for us to stay there in the 80's. Thank you, Dan." Mr. Davidson thanked him for his remarks and said, "We certainly agree, the timing on this project is perfect and I think it's vital we have this projection."

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Industrial Trucks, Vehicle and Equipment Services Department

COLONIAL MOTOR COMPANY
3219 Holmes Street
Dallas, Texas

- Item SE-2(T), 5 ea. @ \$4190.
Total \$20,950.00

WATSON DIST. COMPANY
9111 Broadway
San Antonio, Texas

- Item SE-4(T), 3 ea. @ \$3348.
Total \$10,044.00

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

AUSTIN ROAD COMPANY
 428 East Anderson Lane
 Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
 Spicewood Springs Road, Phase I-B -
 \$2,426,235.65. C.I.P. Nos. 73/62-23,
 73/22-04, 75/22-09, 73/23-03 and
 75/60-03.

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

Later in the day, Council decided on the options for the Capital Improvements Program and made the following motion (Spicewood Springs Road):

Councilmember Himmelblau moved that the Council adopt a resolution to transfer the following CIP funds for funding of the Spicewood Springs Project:

| | <u>Recommended Project Transfers</u> | <u>Current Available</u> | <u>Amount Reduced</u> | <u>Net Available</u> |
|----------|-----------------------------------------|--------------------------|-----------------------|----------------------|
| 79/62-20 | Traffic Reduction in Neighborhoods - 79 | \$ 93,000 | \$ 93,000 | \$ -0- |
| 79/62-20 | Traffic Reduction in Neighborhoods - 80 | 85,000 | 85,000 | -0- |
| 78/62-02 | Arterial Intersection Improvements - 79 | 210,000 | 100,000 | 110,000 |
| 78/62-02 | Arterial Intersection Improvements - 80 | 321,000 | 150,000 | 171,000 |
| 73/62-29 | 38 - 38-1/2 Street | 860,000 | <u>158,462</u> | 701,538 |
| | TOTAL | | \$ 586,462 | |

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

| | |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALTON WATSON CONSTRUCTION CO., INC. 8908 Glenn Lane Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM - PCB Capacitor Storage Building at Kramer Lane Service Yard & Emergency Diesel Generator Building at Holly Power Plant - \$73,905.00 C.I.P. Nos. 79/11-01 and 79/12-01 |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution approving the following contract:

| | |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| DAVID P. PETER 315 Craigmont Drive Austin, Texas | - Contract for cleaning, caulking, spot priming and paint of eighteen (18) moonlight towers - \$21,800.000 |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|

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

Mayor Pro Tem Mullen moved that the Council postpone consideration of making Sabine one-way northbound between 4th and 6th Streets and to establish Sabine Street one-way southbound between 7th and 6th Streets until April 3, 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

LONG-RANGE TRANSPORTATION PLAN

Mayor Pro Tem Mullen moved that the Council adopt a resolution to adopt the Long-Range Transportation Plan for Austin/Travis County. 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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to temporarily close one parking lane and one traffic lane at 310 and 314 East 6th Street on the north side from 11:00 a.m. to 2:00 p.m., April 1, 1980, as requested by Randy Baird of the Old Pecan Street Association. 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

STATE PUBLIC TRANSPORTATION FUND

Mayor Pro Tem Mullen moved that the Council adopt a resolution to enter into a contract with the State Department of Highways and Public Transportation regarding State Public Transportation Fund Participation. 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

Mayor Pro Tem Mullen moved that the Council postpone until April 3, 1980 consideration of funding recommendations for the following community and economic development corporations from the 5th year Community Development Block Grant (CDBG) Approved Corridors Project Funds:

Austin Minority Economic Development Corporation
Austin Community and Economic Development Corporation
National Business League
East Austin Chicano Economic Development Corporation

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 Cooke said he had requested to look at additional information and has not had time to look at all he has received. Mayor McClellan stated, "I have been visited by members of the Community Development Commission who realized, even though they had done the allotment of the corridors project money, they had not seen any individual projects. They did not want to put a big slow-down on what we are doing now. They realize the time constraints we are looking at. Their first choice would be to put it through the full process which would take about a month but their second choice was that they could have a special called meeting in a week's time. I would like to add to the request for a week's delay that we allow the Community Development Commission to have a Special Called Meeting during that one week period of time to get their advisory comments on these projects."

Later, Mayor McClellan stated: "We referred, under the Resolution on the Community Development, to a special meeting, but we have a way to go through the whole process." Mr. Daron Butler, Assistant City Manager, told Council: "It has been brought to my attention by Human Service Department staff that if the Council will direct us to take those applications back through the citizen review process and we have the time to do that, we can clear up all the procedural questions and get all the recommendations that Council desires at the same time." Mr. Herrera said this can be done. Councilmember Himmelblau said, "According to a report we received from the Electric Commission and from the department, we have 600,000 short fall in electric refinement through the 11th Street corridor. Is there any chance this could be looked at with Community Block Grant money because there isn't any other money available for it right now." Mr. Herrera said he would like an opportunity to examine that. Councilmember Cooke said they have the original proposals that were submitted to them and the Human Service Department has asked for additional clarification. That was provided for most of the proposals by the deadline and as "you deliberate before the sub-committee, the CDC Special Called Meeting and the Planning Commission next Tuesday night, I hope you will present that updated information too. They have the full story of what is being presented." Mr. Herrera said the proposal and the supplemental information constitutes the entire proposal at this time.

AGENDA ITEM POSTPONED

Mayor Pro Tem Mullen moved that the Council postpone until April 10, 1980 consideration of rescinding the contract with the City of Rollingwood for the provision of wastewater services to "The Corners" Subdivision. 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

RELEASE OF WATER LINE EASEMENT

Mayor Pro Tem Mullen moved that the Council adopt a resolution to authorize the release of a portion of that certain 20.0 foot water line easement located on Lots 9, 10 and 12 Block "B" West Lake Crossroads, requested by Rippy Survey Company for Mr. Doyle Wilson. 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

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN; APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK; AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS; DIRECTING THE PREPARATION OF ESTIMATES; INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS; DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN; PROVIDING FOR THE LEVY BY THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS; STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS; DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS; AND DECLARING AN EMERGENCY. (Bell Avenue and sundry other streets, CIP 79/62-04)

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.

FIRE DEPARTMENT EMPLOYEES

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance classifying Civil Service employees of the Fire Department and authorizing an increase in the number of fire lieutenants. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

AGENDA ITEM PULLED

Mayor Pro Tem Mullen moved that the Council pull from the Agenda consideration of a resolution to amend the 1979-80 Operating Budget by accepting \$1,286,357 from U. S. Department of Labor under CETA Title IV Summer Youth Employment Program. 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

WASTEWATER APPROACH MAIN CONTRACT APPROVED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH FIRST TEXAS SAVINGS AND BARRINGTON OAKS JOINT VENTURE; 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.

FIELD NOTES CORRECTED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CORRECTING ORDINANCE NO. 790726-F (ZONING ORDINANCE) OF THE AUSTIN CITY CODE; PROVIDING FOR THE CORRECTION OF THE ACREAGE AND FIELD NOTES PROVIDED THEREIN; PROVIDING FOR SEVERABILITY; 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.

PAVING ASSESSMENTS

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 AN AMOUNT AT LEAST EQUAL TO 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; AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF AND RELEASE OF LIEN ON THE SAME. (Riverside Drive, Parcel #4, 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. 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 ORDINANCE

Mayor McClellan brought up the following ordinance for its second and third readings:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 316.14 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES COLEMAN SURVEY NUMBER 25, THE JAMES MITCHELL SURVEY NUMBER 17, THE J. HAMRICK SURVEY NUMBER 28, THE WILLIAM BELL SURVEY NUMBER 24, THE JAMES TWEED SURVEY NUMBER 31 AND THE JOHN NOWLAND SURVEY NUMBER 26 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.

The ordinance was read a second time, and Mayor Pro Tem Mullen moved that the Council waive the requirement for third reading, 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 Goodman, Trevino

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 24,472 SQUARE FOOT TRACT OF LAND AND THE NORTH 30 FEET OF LOT 1, INVESTORS COMMERCIAL SUBDIVISION, LOCALLY KNOWN AS 336 EAST BEN WHITE BOULEVARD, 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 DECLARING AN EMERGENCY. (Mr. E. G. Priesmeyer and Mr. Jerry D. Holley, C14-70-001 [Part])

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.

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 0.99 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1710 FORT VIEW ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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. (Naomi Simer Welch, C14-78-100)

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.

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 36.5 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1829-1919 KRAMER LANE, FROM INTERIM "AA" 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. (Ben H. Powell, Jr., et al, C14-78-026)

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.

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:

THOSE CERTAIN TRACTS OF LAND KNOWN LOCALLY AS 1398-1200 LOOP 1, 1213-1209 SPYGLASS DRIVE, 901-831 LOOP 1 AND 702-708 COLUMBUS, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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; PROVIDING AN EFFECTIVE DATE. (Tom W. Bradfield, Donald H. Cummins & Robert Mueller, Jr., C14-78-105)

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

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

Noes: Councilmember Cooke

The Mayor announced that the ordinance had been passed through FIRST READING ONLY.

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:

THAT CERTAIN TRACT OF LAND KNOWN LOCALLY AS 2099-1101 LOOP 1, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT, PARTIALLY TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND PARTIALLY 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; PROVIDING AN EFFECTIVE DATE. (Tom W. Bradfield, Donald H. Cummins & Robert Mueller, Jr., C14-78-105)

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

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

Noes: Councilmembers Snell, Trevino, Cooke

The Mayor announced that the ordinance had been passed through FIRST READING ONLY.

NO ACTION TAKEN ON
ZONING ORDINANCE

The Council took no action on the following zoning ordinance:

BERTIE L. and
JACK ROBINSON
By John Dobbs
C14-80-010

8720-8936 Burnet Road

From Interim "A" Residence,
"A" Residence, and "C"
Commercial 1st and 6th
Height and Area
To "C" Commercial, 1st
and 6th Height and Area

PUBLIC HEARING ON RESTRICTIVE COVENANT

Mayor McClellan opened the public hearing scheduled for 9:30 A.M. to remove the restrictive covenant at 6201-6415 Springdale Road, as requested by Mrs. O. W. Seiders and Weller Seiders.

No one appeared to be heard.

Councilmember Goodman moved that the Council close the public hearing and remove the restrictive covenant at 6201-6415 Springdale Road, as requested by Mrs. O. W. Seiders and Weller Seiders. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

PUBLIC HEARING - ANNEXATION ALONG
LOOP 360

Mayor McClellan opened the public hearing scheduled for 9:45 A.M. on corridor annexation of land along Loop 360. Mr. Lillie reviewed the area which is Loop 360 from South Lamar north to Lake Austin. A corridor that extends 200 feet from right-of-way on either side of the roadway and it includes land between Barton Creek and South Lamar, areas that are adjacent to and partially surrounded by the city limits now and excluding land that falls within Water District 10 and that falls within the Lost Creek and Davenport MUD (Municipal Utility District) areas. The area north of Bee Cave Road, or 2244 approximates 350 acres. The area south of 2244 to South Lamar approximates 650 acres. Most of the development in the corridor is located near the intersection of 360 and South Lamar. All but three dwellings, one industrial use and a restaurant are located in this area. This proposal, if acted upon affirmatively would complete the annexation of the loop. State statutes require the City be able to extend services and facilities of comparable nature to like areas within the City limits within a period of three years. Waste-water system would likely not be available to any of the area within a short period of time. It is subject to the City Council's action on the Barton Creek study and ordinances and programs now under consideration.

There is limited water service available at the south and near the intersection of South Lamar and Loop 360. There will be service available westerly to the intersection of 360 and South Lamar with the completion of the South Austin Transmission Main. Water service in the peninsula has been only extended to the Davenport MUD within that consent agreement. The Planning Commission has recommended the annexation. The City Council can consider all or a part, or none of the area that is before you today. This annexation can occur when the City Council accepts petitions for this annexation and if services are not delivered within three years or if within the peninsula area there is a reallocation of the ETJ (Extraterritorial Jurisdiction) to West Lake Hills for example.

Councilmember Himmelblau expressed her thanks to the work done by the Planning Department because she knows they were pushed to go ahead with this to meet the time frame that she asked for. She also thanked the Engineering Department for going ahead with the field notes. Mrs. Himmelblau said she felt this was very vital and has felt this way for more than a year to control land uses in the very beautiful part of Travis County. She said she is most anxious for the annexation to proceed.

MRS. BETTY BROWN, representing the Board of Trustees of Save Barton Creek Association. She said they support the proposed corridor annexation of Loop 360 and feel it should be accomplished by a Master Plan. They propose the calling of a moratorium on zoning after the annexation is approved. Mrs. Brown then, in her role of representing "We Care Austin" read a statement in which that organization expresses its approval and support of corridor annexation along Loop 360.

MR. RON ALLEN, President, Balcones Civic Association, expressed support of the annexation of the Loop 360 corridor and stated: "Our goal in its support is to allow the City to tightly control development along this still beautiful and environmentally sensitive corridor. This can be achieved only through highly limited and carefully restricted zoning, minimal accesses and sign prohibition or control."

March 27, 1980

DON WHEELER, past President of Barton View Area Association, said they are not opposed to the annexation but want to be incorporated only if the City can provide them with services needed for the area. He said they need bus service and traffic lights. Mayor McClellan requested Urban Transportation to look into these requests and report back to Council.

DON BIRD, representing some of the property owners along the Loop 360 corridor, stated they are concerned because large tracts of land are facing doubling of their taxes. They are also concerned because there are no plans within the next five years for water and wastewater services. He suggested Council postpone a decision for 30-60 days to give the property owners time to work with staff. Councilmember Himmelblau told him they have had time because this proposal has been in the mill for 18 months, and no taxes would be due until 1982.

MR. FOSTER, a property owner in the proposed annexation area, told Council he would like to see development under sewer rather than septic tanks which could harm the creek.

MR. R. E. PRICE appeared before Council to state he has bought and kept an area in the proposed annexation corridor for a long time. So have others. They have a covenant among themselves which covers 100 acres stating they will not subdivide. Mr. Price said he hates to pay taxes to do what he and others have done for 20 years. He wanted limited annexation.

DICK HARDIN, representing a tract owned by Mrs. Brodie, said they are doing a complete plan of the tract and want it brought into the City with proper care and restrictions. He said they want the land developed under environmental guidelines. They have a master plan and encourage annexation.

Mayor Pro Tem Mullen suggested Council consider limited annexation since water and wastewater will not be available for the annexed area. Councilmember Himmelblau said she does not oppose limited annexation and requested Mr. Albert De La Rosa to speak to this suggestion. The Mayor stated she wanted to look at limited annexation.

Mr. De La Rosa stated: "We have been talking about limited annexation with the Council during numerous discussions and have researched the issues for it as it pertained to the peninsula area. We have told the Council that essentially people have three options whenever they are looking at annexation. They can proceed with full purpose annexation which would mean in three years time the City would be required to provide the full range of municipal services. The one caveat to that is that state law also says that the types of services which must be provided to an area under full purpose annexation are only those which are provided to other areas of the city, comparable to topography, land utilization, and population density. So, under the full purpose annexation if you can look at an area of a city and say there are some differences and not necessarily have to supply that particular area with a full range of municipal services. That's one option under full purpose. The other option is the limited purpose annexation which is provided for by the City Charter and again we anticipate the same problems with the limited purpose annexation. It's

March 27, 1980

something that is not provided for in state law and we have not gone to court over it to find out if it is valid. We have discussed that with Council as well that there are some possibilities to limited purpose annexation. There are some arguments to be made in its favor. There are some arguments to be made against limited purpose annexation which will probably have to be settled in a court room as to the ultimate decision."

Mayor Pro Tem Mullen stated, "I want to make it clear that I am not going to vote for annexation. I'm worried about putting ourselves into a box to have to build a sewer system out there that the citizens don't want and won't finance. We're going to continue on down this line until we get in such a box that we will be sued and then the taxpayers will have to come up out of rates to have to pay for that as opposed to bonding if we're not careful. I think we're jumping off here on the wrong track. Not only on the wrong track of annexation but trying to control signs and this type thing. To supply services out there the staff has made it very clear that we are going to supply something this Council has said it wants no part of. I don't know how to resolve this unless we go limited annexation and I am for that."

Councilmember Himmelblau said, "I'm not sure with the Barton Creek Plan that's being discussed that this area will ever be served and if that's the decision then that's defensible. ... I have no problems. I think when the bridge is complete you're going to see this area open up with or without sewers and if we delay we're going to have intense development no matter what is said. I think some property owners will protect the property and will come in with conformance but there are those out there that will not."

Mayor McClellan commented Council has been talking about testing limited annexation and this may be a good opportunity.

Motion

Councilmember Cooke moved that the Council instruct the City Manager to instruct the staff to begin with limited purpose annexation proceedings on Loop 360 on planning and zoning; health and sanitation. The motion was seconded by Mayor McClellan.

Mr. De La Rosa commented on the limited purpose annexation as follows: "Limited purpose annexation would be for the limited purposes of planning and zoning; health and sanitation. One of the concerns that I heard expressed before about Loop 360 has been the sign problem. The sign provisions are found in Chapter 3 and it is my belief that Chapter 3 cannot be extended into that area of limited purpose because it is not within Chapter 45 under sign control. Interim sign control is found in Chapter 3-5 and it is not a planning and zoning matter so limited purpose annexation would not cover Chapter 3."

Mr. Lillie stated, "The signs we are really concerned about are those that would occur on an apartment or commercial development which is a zoning matter and Council can control that. The land would be annexed as "AA" residential single family only and you have full sign control right there."

Mayor Pro Tem Mullen asked about the contract for Davenport Ranch which states it will be void if any part of the land is annexed. He asked, "That is what we are doing, we are embracing part of Davenport and I wonder how that relates with the contract we have with the Davenport Ranch people. We are in effect cancelling that contract." Mr. De La Rosa told him the way to resolve this is to look at the language at the very beginning of the contract. It specifies this is a contract between the City of Austin and Westview Development Company and specifies that the City of Austin will be referred to as "city" and all through the contract we continue that process of referring to the City of Austin as "city" and that particular provision, in my belief, is intended to mean annexation by a municipality other than the City of Austin and the City of Austin is not spelled out in this particular provision." Mayor Pro Tem Mullen asked if this could be misinterpreted. Mr. De La Rosa answered, "I don't think so, but again you have to look back to the very beginning to find out how the City of Austin will be referred to in that contract." Mr. Mullen stated, "As long as that is clear and you believe that to be a fact.. you're the attorney and we will go with that. Just wanted to be sure."

Roll Call on Motion

Roll Call on motion for limited annexation for Loop 360 corridor, showed the following vote:

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

LEROY LANGE
C14-80-011

10800 Plains Trail
1106 Fauntleroy

From Interim "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED by the Planning
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 Goodman, 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

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.

Applicant requested emergency passage of the ordinance.

March 27, 1980

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:

LOT 25, WHITE PLAINS, SECTION 3 AND LOT 12 WHITE PLAINS, SECTION 2, LOCALLY KNOWN AS 10800 PLAINS TRAIL AND 1106 FAUNTLEROY, FROM INTERIM "AA" 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. (Leroy Lange, C14-80-011)

Councilmember Snell moved that the Council close the public hearing, 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: Mayor McClellan, Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed as an emergency measure.

BEN WHITE/
BURLESON JOINT
VENTURE
By Phil Mockford
C14-80-019

2600 Ben White Boulevard

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

Councilmember Snell moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, 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

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

March 27, 1980

BALCONES ASSOC-
IATES, LTD.
C14-80-029

3301-3309 Northland
5400-5618 MoPac
Boulevard

From "LR" Local Retail
1st Height and Area
To "LR" Local Retail
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Snell moved that the Council grant "LR" Local Retail, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, 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

The Mayor announced that the change had been granted to "LR" Local Retail, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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 72,550 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 3301-3309 NORTHLAND AND 5400-5618 MOPAC BOULEVARD, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SECOND 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. (Balcones Associates, Ltd., C14-80-029)

Councilmember Snell moved that the Council close the public hearing, declare an emergency and waive the requirement for three readings, and finally pass the ordinance. The motion, seconded by Councilmember Goodman, 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

The Mayor announced that the ordinance had been finally passed as an emergency measure.

March 27, 1980

NPC REALTY COMPANY
By Phil Mockford
C14-79-201

1400-1700 Braker Lane
11200-11210 Parkfield Drive
1700-1710 Kramer Lane
11000-11200 North
Ptarmigan
1700-2050 West Ptarmigan

From Interim "AA" Residence
To "A" Residence
1st Height and Area
RECOMMENDED by the Planning
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 Goodman, 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

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.

THERON BRADFORD
By Phil Mockford
C14-80-021

11732-11766 Old U.S.
Highway 183

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission "O" Office with the restrictions
providing for office uses only, a site plan
and landscaping plan to be submitted to the
neighborhood for review and comment prior
to Planning Commission approval.

Councilmember Snell moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, 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 "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

March 27, 1980

L. L. BERT HOFER, JR. 1010 Rio Grande
C14-80-022

From "B" Residence
1st Height and Area
To "O" Office
1st Height and Area

RECOMMENDED "O" Office and
that the use be limited to professional
offices only with normal office hours
as agreed to by applicant, by the
Planning Commission.

Councilmember Snell moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, 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 "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ISAAC JONES, JR. 1201 Cometa
By Bobby Taylor 4102-4104 East
C14-79-272 12th Street

From "A" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area

RECOMMENDED by the Planning
Commission subject to a site plan to be
approved by the Planning Commission,
restricted to an ice cream parlor, and
a six-foot cedar privacy fence on
Cometa Street.

Councilmember Snell moved that the Council grant "LR" Local Retail, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, 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 "LR" Local Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

March 27, 1980

FIRST WISCONSIN
NATIONAL BANK OF
MILWAUKEE
C14-79-258

2508-2510 East Riverside
1910 Pleasant Valley Road

From "GR" General Retail
1st Height and Area
To "C" Commercial
1st Height and Area

RECOMMENDED by the Planning
Commission, subject to ordinance require-
ments and subject to a restrictive covenant
as offered by the applicant with the revised
site plan that shows a continuous building
with at least three feet of landscaping on
the Riverside Drive side of the building.

Councilmember Snell moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Himmelblau, 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 "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

NORTH AUSTIN
STATE BANK
By Robert Davis
C14-80-027

7600 Burnet Road
also bounded by
Northcross Drive

From "GR" General Retail
1st and 3rd Height and Area
To "GR" General Retail
3rd Height and Area
NOT Recommended by the Planning
Commission
RECOMMENDED "GR" General Retail,
3rd Height and Area for the
buildings only.

Mayor Pro Tem Mullen moved that the Council grant "GR" General Retail, 3rd Height and Area District for the buildings only, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

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

The Mayor announced that the change had been granted to "GR" General Retail, 3rd Height and Area District for the buildings only, and the City Attorney was instructed to draw the necessary ordinance to cover.

March 27, 1980

GENE NEILL
LUNDGREN
C14-80-016

2208 Lake Austin
Boulevard

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st
Height and Area District,
restricted to professional
office use.

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

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.

THERON BRADFORD,
TRUSTEE
By Phil Mockford
C14-80-020

4101 Spicewood Springs
Road

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission, subject to limit development to single-story structures; provide a site plan showing where the buildings will be located and an entire landscape plan showing exactly what will be put there and by name of plant; to restrict the parking to what the needs are in order to reduce the amount of asphalt or concrete; limit development to professional office uses only maintaining normal office hours; to meet with the neighborhood associations in regard to landscaping and site plan review, so that the neighborhood will know exactly what is taking place before it comes back to the Planning Commission for final site plan review and approval.

Mr. Lillie reviewed the application by use of slides.

MR. PHIL MOCKFORD, representing the applicant, told Council that the requested use is the best use for the land. The City does not want to buy the land and with the drainage ditch behind it, there is nothing else to do with the island fragments of land left.

SEVRIN HANSON appeared before Council to say he does not think the land should be used as an office development but if the City does not acquire the land, then this is the best plan.

RON ALLEN, Balcones Civic Association presented a valid petition for the records. He said what Council does in this case will set a precedence for the islands in the road created on Spicewood Springs Road. He hopes the Council keeps the land in public ownership, but if they do grant zoning he asked that there be a 25 foot setback on either side allowed for natural landscaping or berms. They also request there be no curb cuts on Spicewood Springs Road.

JIM LANDRUM, representing Northwest Hills Homeowners Association, expressed concern that Spicewood Springs Road will become another Burnet Road or Anderson Lane. He said when they worked to secure islands in the road in order to prevent too much commercialism, they did not envision development in the island. He said they were trying to hold down the density by having a split road, but it looks like this is a defeated issue.

JACQUELYN COCKRELL, 8000 Greenslope, stated she lives right across the street from the subject tract. Putting offices on the land will add to the hazard. She thought the islands would be for greenery, not offices and asked Council to vote no to a zoning change.

JOAN GRAB, 8005 Greenslope, expressed concern that there will be a great traffic hazard if curb cuts are allowed on Greenslope. She wanted it left as a green belt.

BILL CARLSON asked that property be left a green area because with offices it would be a very congested area.

After a little discussion, Councilmember Himmelblau said she thought the site plan is the best.

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, with no curb cuts on Spicewood. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

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.

(Council asked that when this comes back for an ordinance it be for first reading only.)

March 27, 1980

BERTIE L. AND
JACK ROBINSON
By John M. Dobbs
C14-80-010

8720-8936 Burnet Road

From Interim "A" Residence,
"A" Residence and "C"
Commercial, 1st and 6th
Height and Area

To "C" Commercial
2nd Height and Area

NOT Recommended

RECOMMENDED by the Planning
Commission 1st Height and Area as agreed by
Mr. Dobbs with the building setback as shown on
the plat submitted as U-Haul Subdivision No. 2,
for the west 30-foot setback area abutting the
single-family residences, to be restricted against
parking and to serve as an access lane only; to
grant permanent "A" Residential on the balance of
the tract that is zoned Interim "A" Residence and
that the existing "C" Commercial zoning in the
corner not be effected.

Mr. Lillie reviewed the application by use of slides. MR. JOHN DODDS, President, U-Haul Company, showed slides and said the plan is to have mini-warehouses. MRS. NADINE ARNETT, representing the owner, read a statement in which there was agreement with the 135 feet but did not agree with the rest of the recommendation. JOHN SCOTT appeared to state he would like more vegetation in the buffer area.

Councilmember Himmelblau moved that the Council grant a 10-foot buffer of "A" Residence behind residential 6-foot privacy fence; the rest granted as recommended by staff, except is to be 1st Height and Area District. The motion, seconded by Mayor Pro Tem Mullen, 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

The Mayor announced that the change had been granted to a 10-foot buffer of "A" Residence behind residential 6-foot privacy fence; the rest granted as recommended by staff, except is to be 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

RECESS

Council recessed its meeting at 12:20 p.m. and resumed its recessed meeting at 2:30 p.m. After acting upon several agenda items, Council resumed the Zoning Hearings.

March 27, 1980

NEWTON HOUSE
By City of Austin
C14h-80-005

1013 East 9th Street

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

Mr. Lillie reviewed the application by use of slides. No one appeared to be heard.

Councilmember Goodman moved that the Council accept finding of fact a, c, f, h, l, and m, and grant "B-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, 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

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

WOODBURN HOUSE
By Hyde Park
Baptist Church
C14h-79-034

200 East 40th Street

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

Mr. Lillie reviewed the application by slides and said since the Woodburn House has been moved there is no reason to have the land zoned "H" Historic. MR. DAN GARDNER, representing Hyde Park Baptist Church, stated the lot will be used as a playground. MRS. DOROTHY RICHTER, representing Hyde Park Neighborhood Association said they are not opposed to removing the "H" from the lot but the removal of the house without removing zoning set a bad precedent and weakened the ordinance.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

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.

Zoning Case Withdrawn

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

Councilmember Snell moved that the Council allow withdrawal of the above zoning case. The motion, seconded by Councilmember Himmelblau, 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 zoning case had been withdrawn.

Zoning Case Postponed

WILLIAM E.
NICKELS AND
LESLIE J.
JONES
C14-80-012

8321 Lazy Lane

From "O" Office
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended by the
Planning Commission

Councilmember Goodman moved that the above zoning case be postponed for 30 days. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

The Mayor announced that the zoning case had been postponed.

Zoning Cases Denied

MR. FRED O. JONES
C14-80-017

1700 Overhill Drive
also bounded by
Springdale Road

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 by use of slides. No one appeared to be heard.

Councilmember Snell moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Goodman, 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

The Mayor announced that the zoning case had been DENIED.

C. BEN HIBBETTS
REALTY, INC.
By Larry Laden
C14-80-018

1729 East Riverside
Drive

From "LR" Local Retail
1st Height and Area
To "C" Commercial
2nd Height and Area
NOT Recommended by the Planning
Commission

Mr. Lillie reviewed the application by use of slides. He said the site is used as a pawn shop and the request for zoning change was filed by the applicant in order to legalize the use.

LARRY LADEN, representing Chris Hawkins, who rents the property, stated Mr. Hawkins was assured there was no problem with the zoning when he rented the property. He spent \$20,000 to fix up the building and then found out the zoning was not right for a pawn shop. Mr. Laden asked for "C" Commercial for the store with a covenant to roll back the zoning if Mr. Hawkins leaves the premises.

GERRY HILL, President, South River City Citizens, stated he is in sympathy with the tenant but can't sympathize with the landlord. However, he feels Mr. Hawkins should have investigated the zoning a little more before he spent money to remodel the building.

BILL HECK appeared to state the pawn shop is illegal and asked Council to leave the zoning as it is.

SOPHIE GREEN asked Council to deny the zoning change as the pawn shop is doing damage to their neighborhood.

March 27, 1980

MRS. WILLIAM A. DYE asked Council to deny the request, as did MR. DORIS WILEY and MS. MARILYN CODY.

Councilmember Himmelblau moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. 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 Mayor announced that the change had been DENIED.

| | | |
|------------------|----------------------|---------------------|
| REGINA JOSEPH | 1410 West 6th Street | From "B" Residence |
| BRAUNIG & ROSA | also bounded by 600 | 2nd Height and Area |
| DOROTHY HERZBERG | and 602 Oakland | To "O" Office |
| C14-80-024 | | 1st Height and Area |

NOT Recommended by the Planning Commission

Mr. Lillie reviewed the application by use of slides.

MR. CHARLES MARSH, representing the applicant, said a lot of money will have to be spent to renovate the building and they cannot rent it and get their money back, if it is rented as a residence.

DARRELL KIRKLAND, the prospective purchaser told Council he intends to restore the building and use it as his office. He is a consulting engineer.

JANE SMOOT, 1316 West 6th urged Council to keep all the residential zoning that remains on West 6th as it is.

LINDA CANGELOSI, who owns property on West 6th, said Council should encourage residential use on West 6th Street.

GRETCHEN ALLEY, 1317 West 6th Street, asked Council to deny the zoning.

Charles Marsh reported to Council there has been no upkeep done to the house in question for the past 15 years. Zoning it "O" Office would fix it up.

Councilmember Cooke moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the zoning change had been DENIED.

Pending Zoning Cases

CONSTANCE D.
SWAIL
By William Swail
C14-78-033

2003 Montclair

From "A" 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 above zoning.
The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

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

The Mayor announced that the zoning case had been DISMISSED.

THE WOODLANDS OF
AUSTIN, INC.
By W. T. Carson
C14-78-136

3913-3953 Steck Avenue
8101-8133 Kerith Dale
Drive

From Interim "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 as recommended
by the Planning Commission. The motion, seconded by Councilmember Trevino,
carried by the following vote:

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

Noes: None

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

The Mayor announced that the zoning case had been granted EXTENSION.

RICHARD FRAZIER
By G. W. Thompson
C14-78-211

6608 South Congress
Avenue

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

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

March 27, 1980

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

The Mayor announced that the zoning case had been granted EXTENSION.

MOST REVEREND
VINCENT M.
HARRIS
By Austin-Travis
County Health
Department
C14-78-179

2411 Oakcrest Avenue

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: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen
Noes: None
Not in Council Chamber for roll call: Councilmembers Snell, Cooke
The Mayor announced that the zoning case had been granted EXTENSION.

RECESS

Council recessed its meeting at 12:20 p.m. and resumed its recessed meeting at 2:30 p.m.

RESOLUTION FOR JOE TERNUS

Mayor McClellan read and presented to Mr. Joe Ternus, Director of Urban Transportation, a resolution which was signed by all Councilmembers. Mr. Ternus, who is resigning as Transportation Director, was cited in the resolution for his years of service to the City of Austin. Mr. Ternus thanked the Mayor and Council for the resolution and told them his tenure with the City of Austin has been fun and enjoyable and he has learned many things. He said he always tried to relate engineering to people and expressed appreciation for the support he received through the years from the staff and Councils.

CONGRESS AVENUE IMPROVEMENTS

MS. SALLY WITLIFF, Vice-Chairman, Urban Transportation Department, presented a report on proposed improvements to Congress Avenue which would include elimination of high sidewalks, wider sidewalks with landscaping and improvements to the traffic patterns.

Mr. John German, Director of Public Works, told Council the plan has received cooperative planning from several groups and showed slides of other cities improvements to give an example of what is planned for Austin.

KEN TUNKS also showed slides of improved downtown areas in other cities.

Mayor Pro Tem Mullen moved that the Council approve the concept of the Congress Avenue Improvements. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

RETIREMENT BOARD

Mr. Davidson, City Manager, announced that the Retirement Board report on the division of assets between Employees and Police Retirement Funds had been sent to Council.

ELECTRIC UTILITY COMMISSION REPORT

MR. SAM GRAHAM, Chairman, Electric Utility Commission, reported on the Recommendation on Electric Department Capital Improvements Program. He said there is a \$1.7-million shortage in the Electric Department due to failure of the bond election. Their recommendation: A \$150.00 service connection fee should be levied on a flat rate basis on all new service connections. Should Council adopt this recommendation, the conversion of the old 68 KV system to 138 KV should not be deferred. The connection fee should not be restricted to FY 1980. The Commission further recommends the other steps identified by the Electric Department as necessary to meet the funding requirements for FY 80.

Councilmember Cooke asked if the Public Utility Commission or the Railroad Commission has given any rulings on this. Mr. Albert De La Rosa, Assistant City Attorney, said he will report on this.

RESOLUTION OF PENDING LAWSUIT REQUESTED

MR. JEFF FRIEDMAN appeared before Council to discuss the possible resolution of pending lawsuit #302,004, Zoning Case No. C14-79-246. He requested Council to discuss this in an executive session. Mayor McClellan told him the Council will have one next week.

DOWNTOWN AUSTIN

MR. R. J. MIRANDA, who just arrived from California, had suggestions regarding the way the City should handle the development of downtown Austin.

ANNUAL WATERLOO FESTIVAL

Councilmember Cooke moved that the Council approve the request of MS. ANN BYRD NALLE, Chairman, Waterloo Festival, Women's Symphony League of Austin, for permission to sell food and beer on Auditorium Shores, April 18, 19 and 20, 1980, for Annual Waterloo Festival, from 6:00 p.m. until midnight, Friday; from 11:00 a.m. until midnight, Saturday; and from noon until 6:00 p.m. Sunday, also extension of the sound restrictions on Auditorium Shores. The motion, seconded by Councilmember Snell, carried by the following vote:

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

DAVENPORT MUD

Councilmembers Goodman moved that the Council approve the request of MS. PAMELA GIBLIN to annex 0.71 acres into the Davenport Ranch Municipal Utility District (MUD) No. 1. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

1980 SPORTSFEST

MR. DAVE SHEPPARD, Vice-President of 1980 Austin Sportsfest, received the approval of the Council for the following. Councilmember Trevino moved that the Council approve the sale of food and beverage on Auditorium Shores, Saturday, March 29, 1980 from 10:00 a.m. to 8:00 p.m. and Sunday, March 30, 1980 from 10:00 a.m. to 7:00 p.m. The motion, seconded by Councilmembers Snell, carried by the following vote:

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

FUNDS REQUESTED

MR. CHUCK WATTLES, Austin Tenants' Council, appeared before Council to request funds from Housing and Community Development funds. He asked for \$10,600. Councilmember Himmelblau asked him if the CETA slots would remain if the funds are awarded. He said they would. Mayor McClellan asked for a report back on this request in two weeks.

REQUEST FOR OFFICE SPACE

MS. DUC TU JOHNSON appeared before Council to request their assistance in providing office space for Indochina Refugees Resettlement Assistance Consultants, Inc. Mr. Davidson asked her if she has talked to the Human Service Department. Mr. Buck Apelt told him there is no space available without a price tag. Mayor McClellan asked the City Manager to report back on space available after looking at the entire city. Mayor Pro Tem Mullen wondered why they could not find some space in a church.

PEOPLE'S POWER RALLY

MR. LEVY appeared before Council, representing the People's Power Rally, sponsored by the People's Energy Coalition to discuss their rally.

Councilmember Goodman moved that the Council adopt a resolution declaring March 29, 1980 as People's Energy Day. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

PARADE PERMITS

Councilmember Cooke moved that the Council approve the request for a Parade Permit from MR. MICHAEL PUTNAM for Austin Runners Club, from 5:00 p.m. to 7:00 p.m., Saturday, April 19, 1980, beginning west on West First, west on Lake Austin Boulevard, east on Enfield, north on Robinhood Trail, east on Windsor, south on Pecos, west on Enfield, east on Lake Austin Boulevard, east on West First, east on Hike and Bike Trail from MoPac overpass to finish line east of Austin High Baseball Field. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Councilmember Goodman moved that the Council approve the following Parade Permits:

Request from ROY DALTON POOL, JR., for Austin Runners Club, Austin YMCA, Austin Chamber of Commerce, Parks and Recreation Department and University of Texas from 7:30 a.m. to 1:00 p.m., Saturday, April 5, 1980 beginning one lane, nearest Town Lake on Riverside Drive from Lamar Street Bridge to Auditorium Shores Gazebo from 7:30 a.m. to 8:15 a.m. and one lane nearest Town Lake on West 1st from MoPac footbridge to boat ramp from 7:30 a.m. to 9:00 a.m., also one lane (right side going west) of Barton Springs Road on the Barton Creek Bridge and police patrol of Congress Bridge Intersection.

Request from ENRIQUE LOPEZ, for La Fiesta del Barrio Committee from 11:00 a.m. to 2:00 p.m., Sunday, April 20, 1980 beginning at Sanchez Elementary School and proceed north on Waller Street, east on Willow Street to Mildred Avenue, south to Canterbury Street, west to Comal Street, south to Holly Avenue and east to Chicon Street, south to Festival Beach Park.

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

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

BOAT FOR CANOE RACE

Councilmember Snell moved that the Council approve the request of MR. ROBERTO VILLANUEVA, General Manager, KMXX Radio, for permission for a boat with minimum horse power on Town Lake, Sunday, April 6, 1980, 12:00 noon and 6:00 p.m. for safety of canoe race. 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

POLICE COMMUNICATION SYSTEM

Chief of Police Frank Dyson appeared before Council to discuss and stress the need for an entirely new police communication system. He played tapes to show the severe amount of overriding on the radio band which makes it almost impossible to ascertain what is being discussed on police radio. Chief Dyson stated \$55,000 will be needed immediately for an engineering study.

Mr. Daron Butler, Assistant City Manager, told Council that in addition to the money for engineering and design, \$2,000,000 will be needed for the voice system by October of 1981. He said the money could be appropriated by (1) budget it in one year with a single appropriation, (2) instruct the City Manager to negotiate a lease/purchase system, (3) borrow money from self and repay ourselves as we did with the computer. Mr. Butler recommended the third option.

Mr. Davidson said he needs Council's authorization to advertise for proposals. Mayor Pro Tem Mullen said he is interested in the lease/purchase option, and if they advertise for proposals, it be with the stipulation they can reject all bids at any time. Mayor McClellan reminded him Council always has the prerogative.

Mayor Pro Tem Mullen moved that the Council approve the advertising for bids for the Police communication system. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

AFFIRMATIVE ACTION PLAN

The City Manager Report on the Affirmative Action Plan was reviewed by Mr. Floyd Bermea, Special Assistant to the City Manager for Affirmative Action. Mr. Davidson suggested no action be taken on the plan for three weeks in order to get community input, then the Council should vote.

Councilmember Snell expressed his interest in having department heads become interested in an affirmative action workshop. Mayor McClellan thought there should be a public hearing on the affirmative action plan and requested it be set on next week's agenda to set a public hearing.

FINANCE WORK SESSION

Councilmember Goodman moved that the Council set a work session for April 2, 1980 to discuss the new accounting system, monthly reports and current financial condition of the City. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

COMMUNITY DEVELOPMENT COMMISSION ORDINANCE

Council had before it for consideration an amendment to the ordinance concerning the Community Development Commission.

Motions

The ordinance was passed in three parts, as follows:

1. Allow the elected targeted area representatives and the privat sector represenatives to serve on the Community Development Commission up to the maximum CSA limit of (5) consecutive years;

Councilmember Goodman moved that the Council amend the ordinance as above. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

2. or a total of not more than ten (10) years;

Councilmember Goodman moved that the Council amend the ordinance as above. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

3. let the private sector group appoint their representative.

Councilmember Goodman moved that the Council amend the ordinance as above. 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 this motion, Councilmember Goodman had made a motion, which died for lack of second, to approve the ordinance. The parts of the ordinance were separated when Councilmember Cooke said he did not agree with the serving of 10 years. He felt people could serve in another capacity. Councilmember Snell pointed out it is sometimes difficult to find people who will serve.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 47, SECTION 4 OF THE CODE OF THE CITY OF AUSTIN OF 1967 PROVIDING FOR THE COMPOSITION, SELECTION AND TERMS OF MEMBERS OF THE COMMUNITY DEVELOPMENT COMMISSION; CHANGING THE LIMITATIONS OF THREE CONSECUTIVE YEARS OF MEMBERSHIP ON THE COMMISSION FOR REPRESENTATIVES OF THE POOR AND REPRESENTATIVES OF THE PRIVATE SECTOR TO A MAXIMUM TERM OF FIVE (5) CONSECUTIVE YEARS OF SERVICE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE (3) SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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 Trevino, carried by the following vote:

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

Noes: Councilmembers Cooke, Himmelblau

The Mayor announced that the ordinance had been finally passed.

EMERGENCY MEDICAL SERVICES STATION LOCATION STUDY

The City Manager Report on Emergency Medical Services Station Location Study was presented by Ms. Andrea Beatty, Assistant City Manager; and Mr. Bill Bulloch, Director of Emergency Medical Services. They reported as follows:

"On July 6, 1978 the Austin City Council authorized the staff to enter into an agreement with the LBJ School of Public Affairs to perform a cooperative EMS Station Location Study. The total cost of the study is \$70,897, with the City of Austin contributing \$29,856. The technical analysis associated with the study is complete (Attachment 9), and the City Council is being requested to consider the study, associated staff analysis and recommendations, specific station sites, projects, proposed funding, and implementation priorities.

Existing and proposed EMS station sites are displayed in Figures A, B, and C of Attachment 1. Attachment 2 contains a description of each proposed station priority, and Attachment 3 contains funding proposals to implement all priorities. The sites recommended have been developed consistent with Council policy concerning joint use (Attachments 4 and 5). All sites are existing City properties, and ten (10) of the twelve (12) sites are utilizing existing City structures. The other two (2) major policy considerations in determining the twelve (12) sites were the five-year Annexation Plan and the availability of transportation facilities.

Six (6) of the first eight (8) priorities are proposed joint use facilities, and if approved by Council, they can be implemented by October, 1980, utilizing a phase-in schedule as detailed in Attachment 8. The implementation of this

proposal, if approved by Council, will represent a substantial increase in the number of facilities shared jointly by Fire and EMS (Emergency Medical Service) personnel. Due to this fact, joint facility operating procedures have been developed by Fire and EMS staff.

The Station Location Study, including specific sites, projects, funding proposals, and implementation priorities have been reviewed by the Emergency Medical Services Quality Assurance Team and the City Planning Commission. Both groups have made unanimous recommendations to the City Council (Attachments 6 and 7).

The City Council is respectfully requested to consider the following actions:

1. Acceptance of the Station Location Study with staff analysis and additions (Attachment 9);
2. Adoption of proposed station sites, specific projects, and implementation priorities (Attachments 2 and 3);
3. Acceptance of funding proposals for these projects (Attachment 3); and,
4. Authorization to proceed with all projects that are funded and proposed for this fiscal year and next fiscal year (Attachment 3).

If the Council chooses to take the above actions, the staff will return with an appropriate ordinance to delete project 79/93-02 Remodeling of EMS offices, and appropriate those approved bond monies (\$148,000) to a new project, Emergency Medical Services Station addition at Fire Station 25. Except for charges of less than \$2,000 made by the Office of Facilities Planning and Construction for joint use technical analysis, no bond funds have been spent pending approval and direction by Council concerning all of the above items.

It is requested that the Council consider authorizing the City Manager to proceed with the implementation of EMS facilities based upon the above information and attached proposals.

Motion

Mayor Pro Tem Mullen moved that the Council accept the Emergency Medical Services Station Location Study. The motion was seconded by Councilmember Himmelblau.

Friendly Amendment

Councilmember Cooke offered a friendly amendment to name the facilities Public Safety Centers where the use of the facility is a combination of a fire station and EMS. The friendly amendment was accepted.

Roll Call on Motion with Friendly Amendment

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

Mayor McClellan stated, "I want the record to clearly reflect that we're shifting some bond money from remodeling the offices to a station and I think we're putting out priorities in the proper order, but this is one real good example of when it is good to shift those monies but I want it clearly in the Minutes so that when we come back or some future Council comes back at some future bond issue, no one thinks that you remodeled your offices twice."

Mr. Bulloch said they will return to Council in a week or two with an appropriation ordinance.

1980 SIDEWALK CONSTRUCTION PROGRAM

Mr. Joe Ternus introduced the City Manager Report on 1980 Sidewalk Construction Program. Mayor Pro Tem Mullen said he has some questions. He recommended accepting the report but it was decided to bring the report back on April 3, 1980.

MOTOR BANKING IN AUSTIN

Councilmember Trevino moved that the Council accept the City Manager's Report on Motor Banking in Austin. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

Mr. Joe Ternus said they will come back to Council with a specific resolution which will be forwarded to all banks within the corporate limits of the City for their information prior to Council's formal consideration of the resolution.

SKYCAP SERVICE AGREEMENT
MUNICIPAL AIRPORT

The following report on Skycap Service Agreement at Municipal Airport was presented to Council:

PURPOSE

"To amend the existing agreement between the City and the participating airlines to delete the requirement for the airlines to pay a five percent (5%) administrative fee over and above the actual cost of services.

RECOMMENDATION

Approval of the proposed amendment, effective January 1, 1980.

BACKGROUND

Due to union difficulties they were not successful in overcoming, Texas International Airlines was forced to withdraw from participation in the Skycap program. TI's share of the program cost was approximately 20%. The remaining airlines (Branniff, Continental, Eastern, and Delta) indicated that since their share of costs is proportioned to their respective number of passengers, Braniff would be forced to pay a disproportionate part of the increased payments caused by TI's withdrawal. Additionally and also due to a union situation, PSAS cannot provide Braniff customers with curbside check-in. While it is admittedly their problem, Braniff feels that since they cannot have curbside check-in, they are not getting full benefit of the program as it exists, and they are not willing to pick up additional costs.

To salvage the program it was necessary to maintain costs to the airlines at relatively the same level that they were paying when TI was participating. To accomplish this the airlines have developed a staffing schedule that cuts the program cost by 15% and have asked that the City forego the 5% administrative fee.

ALTERNATIVES

1. Take no action.

If no action is taken, we feel certain Braniff would withdraw, and the remaining airlines could not support the program. Skycap services would either be eliminated or reduced to an unacceptable level.

2. City absorb TI's share of cost.

Skycap program would continue as is except that service would cost the City 20% of program costs, approximately \$24,000.00

3. Reduce program and absorb administrative fee.

This concept would reduce Skycap services to what the airlines feel is an acceptable level under the circumstances, maintain the same relative program cost to the airlines, and have no significant effect on the Airport budget.

FINANCING

The five percent (5%) administrative fee was intended as a contribution to cost of paying the contractor, prorating the bill to the individual airlines, and general contract management. We feel that this fee more than adequately covered our expenses, and the loss of this fee will not result in our absorbing a deficit.

CONCLUSION

Approval of alternative 3 would continue the present program with less manhours that most often should not be noticeable to the traveling public. Inconvenience, when it occurs, should be minor. Alternative 3 is supported by the participating airlines and the Department of Aviation."

Mr. Bishop, appearing for Mr. Roy Bayless, Director of the Airport, outlined the report.

Motion

Councilmember Goodman moved that the Council approve. The motion was seconded by Councilmember Snell.

Councilmember Himmelblau pointed out there is a choice of three options.

Councilmember Snell asked how Alternative 3, which is recommended in the report will effect the Skycaps. Mr. Bishop said there had been no comments.

Substitute Motion

Councilmember Himmelblau moved that the Council approve Option 3 of the Skycap Service Agreement at Municipal Airport. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

SOCIAL SECURITY RESERVE FUND

Mr. Norman Barker, Finance Administrator, presented the report on the Social Security Reserve Fund. He said, "The City Manager's memorandum of March 21 fairly states the situation of a fund having been set up about 18 years ago to serve a purpose and that purpose no longer exists. However, in the ensuing time, various federal and state laws have increased the City's liabilities and costs for Workman's Compensation, both as a current cost and as an accrued cost of grants being made today which have ramifications for many years into the future. This particular fund, the Payroll Reserve Fund, which used to be called Payroll, Compensation and Reserve Fund has dire need for monies, and basically the City Manager's request is to abolish the Social Security Fund, transfer the assets to the Payroll Reserve Fund which has on-going liabilities far in excess of the monies provided."

Councilmember Himmelblau stated, "My question is that I have no objection to abolish the fund, but as far as transferring the assets right now, we know we have some needs in the General Fund and in the Utility Fund and would rather wait until after the Wednesday Work Session to say where these funds are going to be put." Mr. Barker replied, "I think there are many responsibilities of course of the City Council and need for funds. I probably stated poorly that

March 27, 1980

the need for more funding in the Payroll Reserve Fund is very akin to the need for funding in the Retirement System. We are incurring liabilities certain into several years, as many as 120 months anyway, into the future and providing no funds for those liabilities. It's my opinion this is the most provident way to treat them." In answer to Mayor Pro Tem Mullen's question concerning the income, Mr. Barker said the income from the fund has been going into the General Fund and recommended that if Council does choose to enact the City Manager's first recommendation, he thinks income from that fund should now be added to the Payroll Reserve Fund.

After a little more discussion it was decided to bring this item back next week for a vote.

AJOURNMENT

Council adjourned its meeting at 6:15 p.m.

APPROVED


Mayor

ATTEST:


City Clerk