

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Meeting

August 28, 1980
8:30 A.M.

Council Chambers
301 West Second Street

The Mayor called the Special Called Meeting of the Council to order at 8:30 A.M.

Roll Call:

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

Absent: None

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

APPROVED:


Mayor

ATTEST:


City Clerk

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 28, 1980
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: None

INVOCATION

Reverend Dr. Dean Thompson, First Southern Presbyterian Church gave the
Invocation.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of
the Special Meeting of July 23, 1980 and the Regular Meeting of August 7, 1980.
The motion, seconded by Councilmember Goodman, carried by the following vote:

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

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution to approve the following change order:

In the amount of \$333,500.00 to Olmos Construction Company, for additions to 1980 Interim Airside Improvements, Robert Mueller Municipal Airport. CAPITAL IMPROVEMENTS PROGRAM No. 78/81-06

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

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

Councilmember Mullen moved that the Council adopt a resolution to approve the following change order:

In the amount of \$7,076.00 to Burnup & Sims of Texas for construction of underground electric conduit system for Rob Roy Phases I & II. CAPITAL IMPROVEMENTS PROJECT No. 80/15-01.

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

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

CONTRACTS APPROVED

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

BURNUP & SIMS OF TEXAS, INC.
2716 East 5th Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of 345 KV Transmission
Line, Circuit 3123, South Texas to
Lytton Springs - \$362,277.00
C.I.P. No. 77/13-04

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

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

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

GENERAL ELECTRIC SUPPLY COMPANY
7521 North Lamar Boulevard
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Shield Wire for Transmission Lines,
Electric Utility Department
Items 1 & 2 - \$61,705.80
C.I.P. Nos. 77/13-04 & 77/13-05

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

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

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

NORANDA ALUMINUM, INC.
Saint Jude Park
New Madrid, Missouri

- CAPITAL IMPROVEMENTS PROGRAM -
Transmission Line Conductor,
Electric Utility Department
Item 1 - \$426,660.00 C.I.P. Nos.
77/13-04 & 77/13-05

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

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

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

PRIESTER-MELL & NICHOLSON
601 East 56th Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
35 KV Automatic Metal Enclosed
Switchgear, Electrical Utility
Department
Item 1, 1 ea. - \$47,120.42
C.I.P. No. 80/15-01

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

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

August 28, 1980

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

Bid Award:

- CAPITAL IMPROVEMENTS PROGRAM -
Porcelain Insulators and Galvanized
Hardware Assemblies, Electric
Utility Department - \$381,640.49
C.I.P. No. 77/13-04

LAPP INSULATOR COMPANY
2550 North Loop, Suite 110
Houston, Texas

- Items: All Insulators Only -
\$292,470.90

BETHEA NATIONAL CORPORATION
1212 Main Street
Birmingham, Alabama

- Items: All Hardware Assembly Only -
\$89,169.59

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

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

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

AUS-TEX PLUMBING, HEATING, AIR
CONDITIONING, INC.
6401 Haney
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Air Conditioning for Montopolis
Recreation Center - \$27,996.00
C.I.P. No. 79/86-02

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

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

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

CULLUM & DICKEHUT CONSTRUCTION CO.
P. O. Box 426
Marble Falls, Texas

- CAPITAL IMPROVEMENT PROGRAM -
Southwest Austin Water Transmission
Main Phase A-2 - \$862,060.00
C.I.P. No. 73/22-23

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

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

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

SYNERCOM TECHNOLOGY, INC. 500 Corporate Drive Sugar Land, Texas	- Graphic Work Station and Memory Unit, Engineering Department - \$61,691.00
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

TRITON ENVIRONMENTAL EQUIPMENT CO. 7476 West 81st Street Arvada, Colorado	- Anthracite Filter Material, Water and Wastewater Department Twelve (12) Months Supply Agreement Item 1, 668 tons @ 134.28 Est. total \$89,699.04
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

Bid Award:	- Kerosene, Solvent, Oil and Grease, Vehicle & Equipment Services Department Twelve (12) Months Supply Agreement
SOUTHLAND OIL COMPANY 433 New Laredo Highway San Antonio, Texas	- Item 1-2 & 6-7 - \$45,369.18
GULF OIL COMPANY 100 Marketing Street Houston, Texas	- Items 3-5 & 8-22 - \$88,360.45

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

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

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

- Bid Award:
- Parts, Radio Communications and Telemetry, Vehicle & Equipment Services Department
Twelve (12) Months Supply Agreement
- MOTOROLA COMMUNICATION AND ELECTRONIC
8550 Katy Freeway, Suite 128
Houston, Texas
- Item 1 - \$25,000.00
- GENERAL ELECTRIC COMPANY
5555 North Lamar Boulevard
Austin, Texas
- Item 2 - \$15,000.00
- RCA CORPORATION MOBILE COMMUNICATIONS
8700 Stemmons Freeway
Dallas, Texas
- Item 3 - \$5,000.00

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

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

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution to temporarily close Pearl Street from the 2400 block to the 2500 block from 3:00 p.m. to 7:00 p.m., September 4, 1980, as requested by Jeff Weinstein representing the Texas Posse. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

FAMILY PLANNING CONTRACT

Councilmember Mullen moved that the Council adopt a resolution to approve Family Planning Contract between Brackenridge Hospital and Texas Department of Human Resources in the amount of \$60,000 from October 1, 1980 through August 1, 1981. (Approved by Hospital Board) The motion, seconded by Councilmember Trevino, carried by the following vote:

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

RESTRICTIVE COVENANT AMENDED

Councilmember Mullen moved that the Council adopt a resolution to amend the restrictive covenant filed by Simon Independent Development Company, revising the site plan as to parking requirements approved by the Board of Adjustment. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HUMAN SERVICE PROPOSALS

Councilmember Mullen moved that the Council adopt a resolution to endorse three Human Services proposals developed by the Regional Office of the Texas Department of Human Resources in conjunction with the City and the County. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

APPOINTMENT MADE

Councilmember Mullen moved that the Council adopt a resolution appointing MRS. WALTER MOORE (CONNIE) as representative to the Central Texas Library System Advisory Council. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

1969 EXPRESSWAY AND MAJOR ARTERIAL PLAN

Councilmember Mullen moved that the Council adopt a resolution to amend the 1969 Expressway and Major Arterial Plan to incorporate the Loop 360 extension alignment. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HOSPITAL CONSULTANT CONTRACT

Councilmember Mullen moved that the Council adopt a resolution to approve a consultant contract between Brackenridge Hospital and the San Antonio State Hospital (Approved by Hospital). The motion, seconded by Councilmember Trevino, carried by the following vote:

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

ROADWAY AND BIKEWAY PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing on the proposed Bikeway Plan and the proposed Austin Metropolitan Area Roadway Plan for October 16, 1980 at 7:00 p.m. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing for September 4, 1980 at 2:15 p.m. on an appeal from MR. JAMES M. DAMON, of the Building Standards Commission's decision to demolish a house. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Councilmember Mullen moved that the Council set a public hearing for September 11, 1980 at 7:00 p.m. to discuss the following items:

1. Southwest Area Study
2. Interim Water and Wastewater Improvements
3. Creation and Composition of a Task Force
4. Emergency Development Controls for the Williamson Creek Watershed
5. Establishing a moratorium over the Edwards Aquifer

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

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

ATTORNEY APPOINTED TO REPRESENT CITY

Councilmember Mullen moved that the Council adopt a resolution to retain John Blazier, Attorney at Law, to represent the City in antitrust proceedings against bottled gas manufacturers. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

AGENDA ITEM PULLED

Councilmember Mullen moved that the Council postpone the following agenda item until September 4, 1980:

CAPITAL IMPROVEMENTS PROGRAM - Consider selection of professional property acquisition services in connection with parkland and green-belt acquisition for the Parks and Recreation Department. C.I.P. Nos. 75/86-03, 75/86-13 and 75/86-14.

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

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

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. (Rutland Drive, C.I.P. No. 62/76-10)

Councilmember Cooke 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, Mullen, 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 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. (Webberville Road, C.I.P. No. 62/76-10)

Councilmember Cooke 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, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, accepting and appropriating a Comprehensive Community Energy Management Program Grant from the Texas Energy and Natural Resources Advisory Council in the amount of \$193,935.00 from September 1, 1980 thru September 30, 1981. (\$115,887 - TENRAC funds, \$78,048 City in-kind match). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

TEMPORARY STREET CLOSURES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 31, SECTION 64 OF THE CODE OF THE CITY OF AUSTIN OF 1967 BY THE ADDITION OF A NEW SUBSECTION 64.1, OCCUPANCY FOR COMMERCIAL FILM MAKING ACTIVITIES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 33, ARTICLE II, SECTION 32 OF THE CODE OF THE CITY OF AUSTIN OF 1967; AMENDING THE MOBILE HOME SPACE FEE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 39, SECTION 307(c) OF THE 1967 CODE OF THE CITY OF AUSTIN; AMENDING HEATING AND AIR CONDITIONING ORIGINAL AND RENEWAL LICENSE FEES AND RENEWAL PROCEDURES; AMENDING CHAPTER 39, SECTION 307(i) OF THE CODE OF THE CITY OF AUSTIN, 1967, BY CHANGING THE LICENSE RENEWAL PROCEDURES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 36, SECTION 307(e)(3) AND SECTION 36-307(f)(3); AMENDING THE ROOFING AND SIDING LICENSE RENEWAL PROCEDURES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 37, ARTICLE III, SECTIONS 37-25, 37-28(a) AND 37-31(a) OF THE CODE OF THE CITY OF AUSTIN, 1967; AMENDING CERTAIN ELECTRICIAN ORIGINAL AND RENEWAL LICENSE FEES; AMENDING ELECTRICAL LICENSE RENEWAL PROCEDURES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 36, SECTION 36-4406 OF THE CODE OF THE CITY OF AUSTIN, 1967; REVISING FEES FOR THE OCCUPATION OF PUBLIC STREETS, ALLEYS OR SIDEWALKS FOR CONSTRUCTION RELATED PURPOSES; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 3, SECTIONS 7(b) AND 15(d) OF THE 1967 CODE OF THE CITY OF AUSTIN; AMENDING THE FEES FOR NEW AND RENEWAL SIGN LICENSES; AMENDING THE FEES FOR NEW SIGN PERMITS AND AMENDING THE SIGN SIZE DESCRIPTIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING CHAPTER 3, ARTICLE 1, SECTION 3-2 OF THE CODE OF THE CITY OF AUSTIN, 1967, PROVIDING CERTAIN ADDITIONAL DEFINITIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EFFECTIVE DATE.

Councilmember Cooke 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, Mullen, 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 AMENDING ORDINANCE NO. 790927-N, ELIMINATING FEES FOR BUDGET DOCUMENTS, BY REPEALING PART 3 THEREOF; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective October 1, 1980. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

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

A 8,143 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1208 WEST AVENUE, FROM "B" RESIDENCE, SECOND 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 DECLARING AN EMERGENCY.

Councilmember Cooke 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, Mullen, Snell, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

PROPOSED TAX RATE INCREASE

The Council had before it consideration of the following items:

1. Taking a vote on the proposed tax rate increase.
2. Setting a public hearing on the proposed tax rate increase.
3. Publishing notices on the proposed tax rate increase.

Jack Klitgaard, Tax Assessor-Collector, asked the Council to decide on a proposed tax rate to allow time to publish the notices and percentage of increase as required by State law.

The Council discussed the State law requirements regarding the tax rate increase and Councilman Mullen expressed a desire to keep the increase low enough so that the notices would be unnecessary.

Motion

Councilmember Goodman moved the Council publish the notices as recommended by the City Manager along with the concurrent advertisement as published by the City Council last year. Councilmember Trevino seconded the motion.

Friendly Amendment - Accepted

Mayor McClellan offered a friendly amendment that there be a unanimous vote of the Council shown in the notices. Councilmember Goodman accepted the friendly amendment.

Roll Call on Motion

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

Motion

Councilmember Goodman moved the Council publish the notices as recommended by the City Manager along with the concurrent advertisement as published by the City Council last year, but did not require that the vote be unanimous. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

The following notices were to be run side by side in English and Spanish in the following newspapers:

American-Statesman
Austin Citizen
La Fuerza
Villager Newspaper

August 28, 1980

~~CITY OF AUSTIN, TEXAS~~

NOTICE OF TAX INCREASE

The City of Austin proposes to increase your property taxes by 36.8 percent.

A public hearing on the increase will be held on September 17, 1980, at 6:00 p.m., at the City Council Chambers located at 301 West 2nd Street, Austin, Texas.

The City Council of the City of Austin has considered the proposal and voted in a meeting of the City Council as follows:

FOR the proposal to increase taxes:

Carole Keeton McClellan, Mayor

Lee Cooke, Council Member

Richard Goodman, Council Member

Betty Himmelblau, Council Member

Jimmy Snell, Council Member

John Trevino, Council Member

AGAINST the proposal to increase taxes:

Ron Mullen, Council Member

ABSENT and not voting:

None

THE "NOTICE OF TAX INCREASE"

APPEARING ON

THIS PAGE IS IN THE FORM

REQUIRED BY STATE LAW

The Austin City Council has not voted to increase the tax rate. The six (6) members of the Austin City Council voting for the proposal to increase taxes did so to comply with state law.

The City Manager has submitted a proposed budget which would require a tax rate of 78 cents per \$100 valuation.

The public hearing scheduled for September 17, 1980 at 6:00 p.m. affords you an opportunity to address the City Council on any proposed tax rate.

The City Council will not decide what the tax rate will be until its public meeting of September 25, 1980.

AVISO SOBRE AUMENTO DE IMPUESTOS

LA CIUDAD DE AUSTIN, TEXAS PROPONE UN AUMENTO DE
36.8 POR CIENTO EN LOS IMPUESTOS SOBRE SUS PROPIEDADES.

HABRA UNA AUDIENCIA PUBLICA SOBRE ESTE AUMENTO EL
17 DE SEPTIEMBRE, 1980 A LAS 6:00 P.M. EN LA
CAMARA DEL CONSEJO DE LA CIUDAD, LOCALIZADA EN EL
301 CALLE 2A. OESTE (301 W. 2ND STREET) AUSTIN,
TEXAS.

EL CONSEJO DE LA CIUDAD HA CONSIDERADO ESTA PROPUESTA
DEBIDAMENTE Y HA VOTADO EN UNA SESION DEL CONSEJO DE
LA CIUDAD, COMO SIGUE:

A FAVOR DE LA PROPUESTA PARA AUMENTAR LOS IMPUESTOS:

CAROLE McCLELLAN, ALCALDE

LEE COOKE, MIEMBRO DEL CONSEJO

RICHARD GOODMAN, MIEMBRO DEL CONSEJO

BETTY HIMMELBLAU, MIEMBRO DEL CONSEJO

JIMMY SNELL, MIEMBRO DEL CONSEJO

JOHN TREVINO, MIEMBRO DEL CONSEJO

EN CONTRA DE LA PROPUESTA PARA AUMENTAR LOS IMPUESTOS:

RON MULLEN, MIEMBRO DEL CONSEJO

AUSENTE Y NO VOTO:

NINGUNO

EL "AVISO DE AUMENTO
DE IMPUESTOS" QUE SE
PRESENTA EN ESTA PAGINA
ESTA EN LA FORMA
REQUIRIDA POR LEY ESTATAL

EL CONSEJO DE LA CIUDAD DE AUSTIN NO HA VOTADO
PARA QUE SE AUMENTE LA CUOTA DE IMPUESTOS. LOS
SEIS MIEMBROS DEL CONSEJO DE LA CIUDAD DE AUSTIN
QUE VOTARON A FAVOR DE LA PROPUESTA DE AUMENTAR
LOS IMPUESTOS LO HICIERON PARA COMPLIR CON LA
LEY ESTATAL.

EL MANEJADOR DE LA CIUDAD HA SOMETIDO UN
PRESUPUESTO QUE REQUIERE CUOTA DE TASACION DE
78 CENTAVOS POR CADA 100 (DOLARES) DE AVALUO.
LA AUDIENCIA PUBLICA DEL 17 DE SEPTIEMBRE, 1980,
A LAS 6:00 P.M. LE DARA OPORTUNIDAD DE DIRIGIRSE
AL CONSEJO DE LA CIUDAD SOBRE LA CUOTA DE IMPUESTOS
QUE SE PROPONE.

EL CONSEJO DE LA CIUDAD NO VA A TOMAR DECISION
SOBRE LA CUOTA QUE SE FIJARA SOBRE LOS IMPUESTOS
HASTA QUE TENGA LA AUDIENCIA PUBLICA DEL 25 DE
SEPTIEMBRE, 1980.

PUBLIC UTILITY REGULATORY POLICY ACT (PURPA)

The Council had before it consideration of Public Utility Regulatory Policy Act (PURPA) as follows:

1. Hearing Procedures
2. Selection of Professional Services
 - a. Professional services for assistance with prepared testimony
 - b. Professional services for assistance with arranging and administering the hearings process.

Councilmember Cooke objected to the approach to the proposal, particularly the consultant cost, and stated that he was not ready to vote on the proposal which was on the table. Councilmember Himmelblau agreed with Councilmember Cooke.

Councilmember Cooke moved that the Council delay consideration of PURPA until September 15, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

NURSING PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution notifying Austin Community College that Brackenridge Hospital will no longer financially support the third year of the Nursing Program as of September 1, 1981. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Prior to the vote, the following discussion took place:

Mr. Spurck, Administrator, Brackenridge Hospital, addressed Council and told them he had been contacted by Ms. Vardiman in April of this year. She is Dean, Allied Health Science Center, Austin Community College. Ms. Vardiman told him the Brackenridge School of Nursing may be in jeopardy because of a recent National League of Nursing side accreditation visit. Mr. Spurck said they received a report in which deficiencies in the manner in which the Brackenridge program is designed were pointed out. He said that a school of nursing must be wholly operated by a hospital, but that by agreement with Austin Community College, they pay 2/3 of the expense of the Brackenridge School of Nursing. A special ad hoc nursing committee was formed, and they were asked to review the

accreditation deficiencies and to determine if the program was salvageable and if so, which direction the City needed to go with the new recommendations to solve the problem. They reviewed the several issues, including what he considered the most critical issue, the shortage of nurses in the nation. After reviewing the options and alternatives, the committee felt there was only one direction to go and recommended the City of Austin recommend to the Austin Community College that an Associate Degree of Nursing Program be developed which will continue the same excellence of nursing education as is presently being made available to students. The name of the program will be Brackenridge School of Nursing-Austin Community College. The Committee also determined that an effort shall be made to maintain the close historical and collaborative relationship between the nursing program and Brackenridge Hospital. They have voted for a 1981 timetable to put this into effect. Mr. Spurck said, "The reason for the City Council looking at this today is that by contract agreement Austin Community College must be notified by the City of Austin one year in advance prior to cancellation. A September 1980 class has been admitted and Brackenridge Hospital and the City will be responsible for that class until graduation in May 1983. We are asking to cancel the contract to decelerate the nursing education program at Brack from a three-year to a two-year. When it becomes a two-year program, it will become the responsibility of Austin Community College. This will absolve the City of any financial responsibility at some point in time."

Councilmember Himmelblau asked, "The space and utilities and all that the City provides after 1983?" Mr. Spurck said there would have to be discussion on that if Austin Community College chooses to use the building, which he thinks is in order. Mr. Spurck said the City would be responsible for the class which entered this year so 1/3 of the City's participation would have to be continued through their graduation in May 1983 for \$145,000 each year until then.

Mr. Davidson, City Manager, stated, "After today's proposed action we have a number of transitional items that will have to be coordinated with the Austin Community College and other entities so that this will come about smoothly and in a way we know Council would demand." Councilmember Himmelblau stated, "I've looked at this for five years and I think the important thing is to get the nurses in the hospitals, and I would move for the adoption of this proposal."

DR. CECIL GROVES addressed Council concerning this proposal and said, "Out of this effort by the Council today, which we have worked with the City, and participated in this decision, I will point out that we are submitting to the Legislature a request this year for approximately \$1,400,000.00 to further expand the Allied Health Services here in Austin. You read every day and hear testimony about the shortage of nurses and the shortage of other allied health technicians. Your cooperation with us to make this a smooth transition and working out other arrangements, really are no cost additions to this City but a matter of cooperation and a matter of participation together. We can envision a doubling of the number of graduates in the next three years. With the participation of the State and the help of this Council we can introduce an evening program in the licensing of vocational nursing which helps all our citizens in this city, plus four to five other new programs in allied health."

"This is good decision making and good participation. It shows a cooperative venture between an institution of higher education, the Councilmembers and working also with the school district. ... We need the assistance of the City Council and hope to come back later to seek your endorsement of a resolution for our efforts to get additional money from the State Legislature on a special appropriation which we have already submitted and we have received what I feel is a favorable hearing before the Governor's Budget Office and before the Legislative Budget Board and we are the only community college that I know of in the state that is seeking such legislation and it is based on one prime fact, cooperation between a municipal government and a public education institution."

BUDGET AMENDMENT TO BE CONSIDERED

Council had before it for consideration the amendment of the 1979-80 Operating Budget by appropriating \$3,000 from the ending balance of the General Fund (Special Services/City Requirements) for the purpose of funding a trip by The Austin Hawks Softball Team to a championship tournament and approval of contract for such funds.

Councilmember Himmelblau said this budget amendment has not been recommended by the City Manager. "I think this time of year it is pretty dangerous to keep amending the Operating Budget and we also have a lot of other teams and other sports that have traveled to tournaments throughout the country and this is the second or third request we have had this year. I think it is grand they made the showing they did, but I don't think that the tax dollars should be used this way."

Councilmember Snell said, "I'd like to get a clarification on the remarks from the Parks Board." Mr. Davidson said the Parks Board has not looked at this. All the information has come from the Parks and Recreation Department. I pointed out we have a number of other teams that are in a similar circumstance, five as a matter of fact, and I pointed out that the communication Council had last Thursday was not written by any City of Austin official believing that communication would be submitted to Council as a funding request." Mayor McClellan asked why this was not put through the Parks Board. Mr. Davidson said it was not "our idea to put this on the Agenda in the first place. They presented their request through Citizens Communications."

A man who did not identify himself said the team is leaving on August 29th and will need \$4,100 to help pay for their tickets.

Mayor McClellan said, "You've made your decision, the tickets are paid for. I'm just trying to see some way to get some Parks and Recreation Board consideration of this."

Councilmember Himmelblau said, "I don't want to appropriate the money right now. We just went through a 45-minute discussion on the tax notice and we are looking for every dollar we can find now. I am just unwilling at this point." Mayor McClellan asked, "Do you want to get a recommendation from the Parks Board so we can get an idea of how many others would be in the same position?" Councilmember Himmelblau said that would be a good idea. "I know

Little League teams went all over the country as well as soccer teams...we have 15 or 20 teams that would qualify nationally. Or individuals that would qualify for national events...swimmers, equestrians, bowlers, the whole works. Let's defer this until the 11th when we have heard from the Parks Board."

Councilmember Snell stated, "We need to make some type of ruling on not only ball teams but any group coming before Council because we've done it before and I think we've put ourselves in a position for things like this to happen. I don't think we should start with this team. We should fund this team and then make our ruling on what we are going to do because we've done this before."

Councilmember Himmelblau moved that the Council postpone a decision on amending the 1979-80 Operating Budget by appropriating \$3,000 from the ending balance of the General Fund for the purpose of funding a trip by the Austin Hawks Softball Team to a championship tournament and approval of contract for such funds, until after the Parks Board has made a recommendation; bring this back on September 11, 1980 Agenda. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

At this point COUNCILMEMBER HIMMELBLAU left the Council Chamber and was absent the remainder of the day.

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:

AUSTIN MEMORIAL
HOME ASSOCIATION
By James Wolf
C14-80-137

406 East Alpine Road

From Interim "A" Residence
1st Height and Area
To "C-2" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

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

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

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

DUNNING C. BRIGHT
AND ROSEMARY DEE
BRIGHT HANOVER
By Tom Curtis
C14-80-143

9312-9318 Cameron Road
1417-1427 Rundberg Lane

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

Councilmember Mullen 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: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Councilmember Himmelblau

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.

CITY OF AUSTIN
By Planning
Department
C14-80-121

12001-12115 Dorsett Road
4402 and 4405 Pamona Drive
12000-12114 and 12001-12117
Arrowwood Drive
also Dorsett Oaks Circle,
Limewood Court and a portion
of West Duval Road

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

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

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

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

CITY OF AUSTIN
By Planning
Department
C14-80-122

3906-4148 and 3905-4149 Stonecroft Drive 7700-7912 and 7701-7909 Turquoise Drive 3900-4010 and 3901-4011 Gemstone Road 7700-7902 and 7701-7903 Shale Street 7900-7906 and 7901-7905 4000-4006 and 4001-4005 4000-4006 and 4001-4005	and Tiger Eye Cove Mica Cove Turquoise Cove
From Interim "AA" Residence 1st Height and Area To "AA" Residence 1st Height and Area RECOMMENDED by the Planning Commission	

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

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

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

CITY OF AUSTIN
By Planning
Department
C14-80-123

6604-7412 Pleasant Valley Road 4602-4810 and 4607-4809 Borage Drive 4512-5108 and 4513-5107 Quicksilver Boulevard 7300-7304 and 7301-7305 Meadow Lake Boulevard 4800-5108 and 4801-5111 4704-4802 and 4707-4803 7400-7404 and 7401-7405 7300-7306 and 7301-7305 4900-5228 and 4901-5225 7500-7501 7300-7402 and 7301-7405	and Savorey Lane Saguaro Road Vinca Circle Quicksilver Circle Canella Drive Teal Trail Buttonbush Drive
From Interim "AA" Residence 1st Height and Area To "AA" Residence 1st Height and Area RECOMMENDED by the Planning Commission	

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

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

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

CITY OF AUSTIN	5010-5102 F.M. 2222	From Interim "AA" Residence
By Planning	6400-6600 and 6403-6601	1st Height and Area
Department	Ladera Norte	To "AA" Residence
C14-80-124	4900-5314 and 4901-5319	1st Height and Area
	Backtrail Drive	RECOMMENDED by the Planning
	5000-5400 and 5001-5401	Commission
	Cedro Trail	
	6400-6406 and 6401-6409 Cedro Cove	
	6400-6408 and 6401-6411 Cerro Cove	
	5500-5502 and 5501-5503 Lemonwood Drive	
	4904-4906 and 4905-4907 Cat Creek Trail	
	5000-5102 and 5001-5103 Lodge View Lane	
	6300-6318 and 6301-6317 Cato Path	
	and a portion of Far West Boulevard	

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

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Cooke

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

JAMES HOLDEN	8874-8896 and 8866-8848	From "C" Commercial
By Edgar James	Research Boulevard	1st Height and Area
C14-80-136	8728-8744 Putnam Drive	To "C" Commercial
		2nd Height and Area
		RECOMMENDED 2nd Height and
		Area for building envelopes with
		amended application to "O" in
		accordance with site plan, by the
		Planning Commission

Councilmember Mullen moved that the Council grant "O" Office, 2nd Height and Area District for building envelopes in accordance with site plan, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

SARAH BARROW KEMPER, & TEXAS COMMERCE BANK, N.A., AS INDEPENDENT EXECUTORS OF ESTATE OF EDWARD R. & JANE EWING C14-79-232	7010-7060 Block of MoPac 3400-3470 Block of Far West Boulevard	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED by the Planning Commission, subject to site plan review by Planning Commission, building height to be limited to two stories, restricted to office use only.
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Councilmember Mullen 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 Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Councilmember Himmelblau
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.

W. D. CHRISNER By Tom Curtis C14-80-066	8400 Delwau Lane	From Interim "AA" Residence 1st Height and Area To "E" Heavy Industrial 1st Height and Area NOT Recommended RECOMMENDED by the Planning Commission "A" Residence, 1st Height and Area
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Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

August 28, 1980

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.

JERNIGAN-CAPRON
HOUSE
By Las Ventanas
C14h-79-011

602 Harthan Street

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

Councilmember Trevino moved that the Council accept finding of fact a, b, c, h, i, k, l, 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 Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman
Noes: None
Absent: Councilmember Himmelblau

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.

RECESS

The zoning cases to this point were heard during the morning session. Council recessed at 12:40 p.m. and returned at 2:33 p.m. to resume zoning hearings. Cases heard in the morning and not granted are categorized later in these Minutes.

ZONING HEARINGS CONTINUED

RPC INVESTMENTS,
INC.
By William Bray
C14-80-133

5803-6219 Riverside
Drive
2000-2510 Montopolis
Road and 5100-5500
Oltorf Street

From Interim "A" Residence and
"A" Residence
1st Height and Area
To "D" Industrial
2nd Height and Area
RECOMMENDED (as amended) by
the Planning Commission

DATA PRODUCTS
By William Bray
C14a-80-001

5803-6219 Riverside
Drive
2000-2510 Montopolis
Road and 5100-5500
Oltorf Street

To a Planned Development
Area
RECOMMENDED by the Planning
Commission

The above two zonings were heard together.

Marie Gaines, Planning Department, reviewed the application by use of slides.

TERRY BRAY, representing the applicant, told Council the Data General Corporation wants to locate near Data Products. Mrs. Roberta Crenshaw owns the land and wants to develop the 100 acres into an industrial park. She will have deed restrictions in order to develop the area compatible with surroundings.

MR. ALLEN M. FEDER, Facilities Manager for Data General, said they welcome Data General but asked about the area so he can report to Data General. Daron Butler, Assistant City Manager, told him Mr. Swems of Data General has been apprised of the Planned Development Area. Their concern has been the water problem in the area, but have been assured it will be taken care of.

On zoning case C14-80-133, Councilmember Mullen moved that the Council grant as amended, as recommended by the Planning Commission, "D" Industrial, 2nd Height and Area District, with (1) schematic plan; (2) development standards; (3) performance standards; (4) means of providing for public streets including construction of Grove Boulevard. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "D" Industrial, 2nd Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

On zoning case C14a-80-001, Councilmember Mullen moved that the Council grant a Planned Development Area, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to a Planned Development Area, and the City Attorney was instructed to draw the necessary ordinance to cover.

August 28, 1980

JOHN H. JOHNSON
ESTATE, ROSA L.
SANDBERG-TRUSTEE
By David Brunovsky
C14-80-141

503 Oakland Street

From "B" Residence
2nd Height and Area
To "O" Office
1st Height and Area
RECOMMENDED (as amended) by
the Planning Commission subject to
restricting property to "O" uses only.

Mr. Lillie reviewed the application by use of slides.

MR. DAVID BRUNOVSKY, representing the applicant, said he will bring the house up to a standard compatible with the renovation of the other houses in the area.

RAYMOND MICK, building contractor for the house, said that a good job is being done by the applicant.

MRS. GRETCHEN ALLEY, who lives at 1317 West 6th Street, said she is not in opposition to this, but "I do have a special request that they do not come back for a special permit for "LR" which would be on Pressler Street." She said she is also concerned about the bus system for the children which is located on the corner of 5th and Pressler. She asked Urban Transportation to make a study of traffic on Pressler between 5th and 6th because there is a problem.

JACK HOLFORD, who has an office in West 6th Street, reiterated the traffic problem which Ms. Alley discussed. The school buses do not have enough room to turn off of 6th onto Oakland because parking is allowed on both sides of the street.

Councilmember Goodman asked Mr. Brunovsky to respond to the request that they not come back seeking "LR" Local Retail usage. Mr. Brunovsky said he is sure the applicant will be in favor of that but he cannot speak totally to it today. He asked if the zoning could be granted contingent on the restrictive covenant that the land will not have any "LR" uses. Assistant City Attorney Nias said this would be proper.

Councilmember Goodman made a motion "to grant the zoning subject to that condition that a restrictive covenant be placed on the property; that no special permit will be applied for for 'LR' Local Retail usage." Mr. Nias stated, "That probably ought to be worded that they won't use the land for "LR" uses because the restrictive covenant should be to refer to restrictions put on use of the land not the personal promises of the applicant and that they shall not come back and apply for special permit but that the land will not be put to any 'LR' uses." Mr. Brunovsky said, "What you are saying is I don't come in for any special permit and I don't use it for anything other than office." Councilmember Goodman stated, "The record will reflect our conversation, and then the City Attorney can word the restrictive covenant however he desires."

Motion

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, (as amended), as recommended by the Planning Commission, with a restrictive covenant that the land will not have any "LR" Local Retail uses. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

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

DON C. BUCK
C14-80-135

4613-4615 Springdale
Road

From Interim "A" Residence and
"A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "A" Residence, 1st
Height and Area

Mr. Lillie, Director of Planning, reviewed the application by use of slides.

MR. DON BUCK, owner of the tract, said he wants to build a bicycle shop on the land. He said there is no bike shop in northeast Austin at present. He has met with the neighbors and they are in agreement with the usage; however, there have been 16 people who have objected to the bike shop. He said he will put a deed restriction on the property that usage will be for a bike shop only or it will revert to original usage.

MS. CAROL SOKOLSKY appeared before Council to speak in favor of the zoning and bike shop. She presented a petition with 174 signatures of people in favor of the bike shop. Councilmember Snell asked what portion of the people on the petition live in the area. Ms. Sokolsky told him the majority live there.

JIM CANLEY, Director of YMCA, spoke in favor of the zoning because of the increasing number of youth and adults who use bikes.

JACK HOLFORD said he was involved in the master plan for University Hills. His property is right on the border line of the retail area and he is in favor of the bike shop.

JERRY MILLS, who lives in the immediate area, thought the bike shop should be located in a shopping center area as this zoning might set a precedent.

Mayor McClellan read a letter from the neighborhood group stating their support of the bike shop.

Councilmember Goodman moved that the Council grant "GR" General Retail, 1st Height and Area District, with restrictive covenant for sign. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen, Trevino

Noes: None

Absent: Councilmember Himmelblau

Abstain: Councilmember Snell

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

T. C. SCOTT
FRANCIS
By Robert Francis
C14-80-117

1917 Cullen
6913 Hardy

From Interim "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "A" Residence, 1st
Height and Area

Mr. Lillie, Director of Planning, reviewed the application by use of slides.

ROBERT FRANCIS, representing the applicant who is his father, said the main dwelling is a duplex and his father wants to convert the garage into a living area. Councilmember Goodman asked if he would be willing to deed restrict the lot to a roll back if the garage is not used as an apartment. Mr. Francis was in agreement with this.

Councilmember Goodman moved that the Council grant "B" Residence, 1st Height and Area District, with restrictive covenant that garage be used as an apartment only; Planning Commission to initiate a roll back if not used as an apartment. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Snell, Mayor McClellan

Noes: Councilmember Trevino

Absent: Councilmember Himmelblau

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

GEORGE W. ALLEN
By Jeryl Hart
C14-78-197

5800 block of Balcones
Drive

From Interim "A" Residence
1st Height and Area
To "A" Residence, 1st Height
and Area (Tract 2) and
"O" Office, 1st Height and
Area (Tract 1)

RECOMMENDED by the Planning
Commission to approve the amendment to
the restrictive covenant for 770 feet in
elevation.

Mr. Lillie reviewed the application by use of slides.

MR. JERYL HART appeared and said he does not feel that their project
will have any impact on the houses in the area.

ALBERTA CASTANADA, who lives on Trail Ridge Circle, appeared and contested
the arc of buffer to her property. She had appeared before on this same
question. Mayor McClellan told her that it had been determined by Council what
the buffering should be and the directive of the Council has been followed
concerning the buffer.

JIM LANDRUM, Chairman of the Zoning Committee for Northwest Hills Civic
Association, discussed the proposed office buildings on MoPac between FM 2222
and Highway 183. He said 25 buildings have been proposed and 14 have already
been approved. They are concerned with the looks and the height of the buildings.
He asked Council to place a moratorium on office buildings. He spoke to buffering
which Council directs and cited the buffering behind the Irene Smith building.
He said it consists of a few railroad ties and tiny bushes. Councilmembers
Cooke and Goodman said this should be checked to see if the building's buffer is
in violation of the Council's direction. They also said there needs to be a
study of the overall situation.

BILL CARSON appeared, stated he owns lots to the west of the area under
consideration, and thinks the site plan presented is a good one.

Councilmember Mullen moved that the Council approve the amendment to the
restrictive covenant for 770 feet in elevation, as recommended by the Planning
Commission. The motion, seconded by Councilmember Snell, carried by the following
vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Abstain: Councilmember Goodman

The Mayor announced that the amendment to the restrictive covenant for
770 feet in elevation had been approved, and the City Attorney was instructed
to draw the necessary ordinance to cover.

Zoning Cases Postponed

DAN STATHOS, JR.
By John Meinrath
C14-80-139

108 East Gibson

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission with notation that applicant
has agreed to five specific conditions
to be entered into a restrictive covenant
even though these conditions do not all
apply exclusively to the subject project.

Mr. Meinrath appeared and requested postponement. Mr. Lillie had reviewed the application with slides. Mr. Meinrath said Connie Gray had asked that this be postponed, but that the applicant agrees with conditions. Councilmember Snell wondered why if everyone was in agreement the case should be pulled. Council agreed everyone was in agreement but it is a policy to postpone when a request is made.

Councilmember Mullen moved that the Council postpone the zoning case to September 4, 1980 at 10:15 a.m. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

STONELEDGE
By Emil Jamail
C14c-880-004

Bull Creek Road
(F.M. 2222)

An 81 unit Planned Unit
Development called Stoneledge
NOT Recommended by the Plan-
ning Commission

Applicant had requested postponement. A representative of the Look Out Mountain Civic Association presented a petition to Council.

Councilmember Trevino moved that the Council postpone the zoning case to September 11, 1980 at 8:00 p.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Zoning Cases Withdrawn

PROFESSIONAL
CONTRACTORS, INC.
C14-80-142

5002-5014 Pleasant
Valley Road
4710-4712 Teri Road

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "A" Residence, 1st
Height and Area

Councilmember Mullen moved that the Council permit withdrawal of the above zoning case. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

SYLVION KIVLIN
By Daniel Thornton
C14-80-140

5917-6599 South IH 35

From Interim "A" Residence
1st Height and Area
To "C-2" Commercial and "O"
Office, 1st Height and
Area
NOT Recommended
RECOMMENDED by the Planning
Commission "GR" General Retail,
1st Height and Area

Councilmember Mullen moved that the Council permit withdrawal of the above zoning case. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Zoning Cases Denied

EAST AUSTIN ARTS
WORKSHOP
C14h-80-020

1161 San Bernard

From "LR" Local Retail
1st Height and Area
To "LR-H" Local Retail-Historic
1st Height and Area
NOT Recommended by the Planning
Commission

Councilmember Mullen 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 Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Mullen

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the zoning case had been DENIED.

L. W. PARKER 11920-11930 North IH 35
C14-79-102

From Interim "AA" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the Planning
Commission

Mr. Lillie reviewed the application by use of slides. TOM HOOKS, speaking for the Walnut Creek Neighborhood Association, presented a petition with 25 names against the zoning change.

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

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the zoning case had been DENIED.

Pending Zoning Cases

BELL AVENUE AREA
STUDY
By Planning
Department
C14-79-044

U.S. 183, Tweed Court
and Bell Avenue (Tracts
9 and 13)

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

Councilmember Goodman moved that the Council grant extension on the above zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the zoning case had been EXTENDED.

BALLARD & SONS,
INC.

By John Ballard
C14-79-049

13263-13265 U.S. 183

From Interim "AA" 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 on the above zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the zoning case had been EXTENDED.

JAMES K. PRESNAL,
TRUSTEE
By Maury Hood
C14-79-215

4501 Spicewood Springs
Road

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 an EXTENSION on the above zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the zoning case had been EXTENDED.

AUSTIN FORTY-
FIVE, LTD.
C14-72-203

4234-4418 Ed Bluestein
Boulevard
4101-4427 Tannehill
Lane

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

Councilmember Goodman moved that the Council DISMISS the above zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

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

The Mayor announced that the zoning case had been DISMISSED.

Public Hearing Closed - Action Scheduled

(This case was heard during the morning session of Council)

CITY OF AUSTIN
Planning Department
C14-80-077

An area generally bounded on the north by Foster Lane and Northcross Drive, on the east by Burnet Road and Shoal Creek Boulevard, on the south by West 45th Street, and on the west by MoPac Boulevard

From Interim "AA" Residence, "A" Residence, "B" Residence, "O" Office, "LR" Local Retail "C" Commercial and Undesignated, 1st and 2nd Height and Area

To "AA" Residence, "A" Residence, "B" Residence and "O" Office, 1st Height and Area

RECOMMENDED by the Planning Commission

Marie Gaines, Planning Department, reviewed the application by use of slides. Mr. Nias, Assistant City Attorney, referred to a letter sent to City Attorney Harris, which he said does not specifically say it is a protest letter, but in all fairness, perhaps it should be regarded as such. The letter stated to "lock the Green Acres Subdivision into its current inadequacies would be a misuse of zoning which in turn demonstrates the inability to propose in its back up study to appropriately address the conflicting needs of the effected neighborhood." The letter asked for a more detailed study of the area.

Mayor McClellan asked if this area has been looked at by the Planning Commission or if it is all new. Ms. Gaines said it is all new. Mayor McClellan asked Mr. Nias to include, for the record, the names and addresses on the letter. They are: Mary L. Davies - 2715 Pelgram; Cassimere Spatek - 2713 Pelgram; Anthony George - 6814 Vine. Mr. Nias earlier had referred to two other letters and stated for the record, "I found on my desk this morning letters from three parties intending these to be protest letters for the purpose of invoking the 3/4 rule. One from Mr. Greg Gibbs; another from Mr. and Mrs. Homer Mayall of 2117 Shoalmont; and another letter from Charles J. Simmons, Jr., concerning his property at 2113 Shoalmont Drive."

MR. ALLEN McMURTRY, Chairman of the Allandale Neighborhood Association, reported to Council, "I want to make clear the single purpose the Allandale Neighborhood has set forth and that is we want the zoning to be compatible with the current land use so if it currently has a single family unit on it, we ask it be rolled back to "AA." If it has a duplex, we ask it be rolled back to "A." If it has an apartment complex, "B," etc. We feel concentration on current land use is the fairest way to do this and you are not disenfranchising anybody or taking any vital property use away from them. I'd also like to remind the Council that where it may seem there's a lot of activity related to this, there have been only 15 letters received in opposition out of some 3200 lots." He then discussed Montview area and other areas in particular. He said they are opposed to spot exemptions.

E. N. CONNER, 6118 Janie Drive, requested that the zoning change as outlined by the Planning Department be approved with no exceptions. He presented a petition to Council which was signed by 21 people.

TOMMY TATE spoke in favor of the roll back.

CATHERINE STAPLES, Montview Street, appeared to oppose the roll back. She does not want an apartment complex across the street from her.

MARGARET QUADLANDER, 2800 Greenlawn Parkway, asked that her house be deleted from "A" Residence, because it is a large house and some day she will want to divide it.

CHAMP HOWELL said he lives and conducts his business in the Allandale area and he wants the freedom to own and use his real estate.

JASON PAVLOVA, 4808 Westfield Drive, said the roll back is unfair to the majority of property owners and it is inappropriate for the City to consider such a large area all at one time.

ARCHIE McNEIL, 4504 Chiaparo Trail, is against the roll back because he wants to make a duplex out of his house.

A woman who did not identify herself, but gave her address as 5511 Montview, presented a petition against an apartment building which is proposed.

GREG GIBB, 2101 Northland, said he presently has "O" Office zoning on his property and wants it kept that way.

VANCE NAUMAN asked to have his property deleted from the roll back because he wants to build apartments on his property.

EARL COHNS, 5600 Montview, said his property is across the street from the proposed apartments, which he does not want. He supports the roll back.

SHIRLEY ROGERS appeared and said she believes in deed restrictions because she has been to Court about them and won. She felt the roll back zoning which would reinforce deed restrictions.

HOMER MAYHALL, who owns property several places in Allandale, is against the roll back zoning. He does not like the restrictions.

DOUGLAS TABBY, Montview Drive, wants control as to what will go into the neighborhood.

PEGGY MAYHALL, 2117 Shoalmont Drive, appeared to oppose the zoning change.

LARRY NIEMAN, who lives on Janie Drive, does not want the roll back as he wants the right to convert his house into a duplex. He spoke to his deed restrictions.

GEORGE SCHUH, 5500 Montview, spoke but it was difficult to ascertain whether he is for or against the roll back.

ERNIE GEORGE said the area should be upgraded not downgraded. He wants to be able to have a duplex made from his single family home.

OPHELIA FITZGERALD, 5511 Shoalwood, spoke against the apartment which is proposed. She said she feels the neighborhood is safe now, but an apartment would bring in more cars and more confusion.

MARY BODELMAN wants deed restrictions and zoning to be more compatible.

STEVE TWEEDY appeared in support of roll back.

ANTHONY GEORGE said the neighborhood should be allowed to dictate its own environment.

DOROTHY WALLACE, 45th and Shoal Creek, spoke against the roll back.

Councilmember Goodman asked David Bodelman, a member of the Planning Commission who lives in the neighborhood, if he had any comments. Mr. Bodelman declined to make any comments.

Mayor McClellan suggested to Council that since they just received many letters, and in view of the testimony, they should close the public hearing and schedule this item for action on September 11, 1980.

Motion

Councilmember Goodman moved that the Council close the public hearing and schedule the zoning case for action on September 11, 1980. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

RECESS

At this point it was 12:40 p.m. and Council recessed until 2:33 p.m., when the Council continued hearing zoning cases, which have been outlined on previous pages.

APPEAL OF CLOSURE AND VACATION ORDER

The Council had before it an appeal from MR. LARRY ANDERSON, Attorney for New Bethel Baptist Church, of the Building Standards Commission's decision denying a permit for structure located at 3403 Manor Road.

Mr. Lonnie Davis, Building Inspector, stated that had been advised by Mr. Albert DeLaRosa of the Legal Department that the appeal might not be legal since it was not provided for in the housing ordinance. Mr. DeLaRosa supported Mr. Davis' statement, and stated that the City Council did not have the authority to overturn or reverse the Commission's order.

After a brief discussion, it was agreed by all parties that notices would be mailed on August 29, 1980, but that the 14-day time period for vacating and closure would begin on August 28, 1980. No action was required of the City Council.

APPEAL OF DEMOLITION ORDER

The Council had before it an appeal from MR. ANDREW CASTILLO of the Building Standards Commission's demolition order for the structure located at 2211 Haskell Street.

Mr. Castillo appeared before the Council to state that he felt that the house was worth repairing.

Mr. Lonnie Davis, Building Inspector, showed slides of the subject structure to indicate its condition. He stated that it was economically unfeasible to repair the structure; however, the structure could be brought up to standards at a considerable expense. It was also the opinion of the Austin Redevelopment Authority that it was not economically feasible to bring the property up to standards.

The Council pointed out to Mr. Castillo that if the appeal were granted, that he would have to spend whatever amount was required to bring the structure up to standards. Their main concern was that Mr. Castillo would spend a great deal of money on the structure and still not meet the standards.

Councilmember Trevino moved that the Council close the public hearing and direct the City Manager to instruct staff to meet with Mr. Castillo to discuss the cost to meet minimum code requirements and visit a site where a similar structure had been rehabilitated. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmember Himmelblau

SHOWING OF MOVIE

MR. NEIL BISCHOFF, Co-ordinator, Agave Affinity Group, invited the Council to the showing of a movie entitled "The Medical Complications of Nuclear Energy" at 7:30 p.m., September 15, 1980 at the auditorium of the City's Main Library. Council stated they could not attend as they are holding a public hearing at that time.

CITIZEN DID NOT APPEAR

Ms. Coleen McHale, Manager, Bean's Restaurant & Bar, who had requested to appear during Citizens Communications to discuss the hanging of a street banner, did not appear, but requested to speak at a later date.

SUNFEST '80

MS. MARIANN WIZARD, Chairman, Board of Directors, Phogg Phoundation for the Pursuit of Happiness, appeared before the Council to request Council's assistance on the following:

1. Contribute \$500.00 for SunFest '80 publicity, printing & postage expenses.
2. Waive City fees for SunFest '80 electrical use at Auditorium Shores.
3. Grant permission for participating groups to sell food and drinks at Auditorium Shores during SunFest '80.
4. Grant permission for a small security force of 12 people to camp out overnight at Auditorium Shores September 26, 27 and 28, 1980.
5. Grant sound permit from 12:30 a.m. to 11:30 p.m., September 27 and 28, 1980; recorded music then played during site clearance and clean-up.

Mr. Albert DeLaRosa pointed out that the times requested for the sound permit could not be waived since they were set by ordinance.

Motion

Councilmember Mullen moved that the Council grant permission for participating groups to sell food and drinks at Auditorium Shores during SunFest '80 and grant permission for a small security force of 12 people to camp out overnight at Auditorium Shores September 26, 27 and 28, 1980, and refer the other items to staff for review. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen

Noes: None

Absent: Councilmember Himmelblau

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

CITIZEN DID NOT APPEAR

Mr. Ray Reece, Commissioner, Renewable Resources Commission, who had requested to appear during Citizens Communications in connection with SunFest '80, did not appear to speak.

AMENDMENT TO ELECTRIC RATE ORDINANCE

MR. M. A. LANG appeared before Council to request that Council adopt his amendment to the Electric Rate Ordinance. (CITY CLERK DID NOT RECEIVE A COPY OF THE PROPOSED AMENDMENT.)

Councilmember Mullen moved that the Council refer Mr. Lang's amendment to the Electric Utility Commission with the message that the City Council has found validity in the new information and would like them to give it consideration. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Trevino,
Mayor McClellan

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

PARADE PERMIT

Councilmember Cooke moved that the Council approve the request for a parade permit from MR. MIKE KLEINMAN, for Phogg Phoundation for the Pursuit of Happiness, from 5:45 p.m. to 7:20 p.m., Sunday, September 28, 1980, beginning from railroad bridge (over Town Lake) on Riverside, east to Auditorium Shores parking lot that connects with Hike and Bike Trail, west crossing over Barton Creek Bridge, crossing Town Lake over MoPac Bridge underpass, east on north side of Town Lake, turn around by Austin High baseball diamond, west on West 1st back to MoPac Bridge, back to finish by way of Hike and Bike Trail over Barton Creek Bridge, finish on Auditorium Shores. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Trevino, Mayor McClellan
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

CITIZEN DID NOT APPEAR

Mr. George A. Barton, who had requested to appear during Citizen Communications to discuss a claim against the City of Austin, did not appear to be heard.

USE OF AUDITORIUM SHORES

Councilmember Trevino moved that the Council grant MS. MARIA PEREZ permission to use Auditorium Shores October 12, 1980, from 11:00 a.m. to 9:00 p.m. for a Fiesta and permission to sell beer. The motion, seconded by Mayor McClellan, carried by the following vote:

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

SIGN COMMITTEE TASK FORCE REPORT

MR. R. V. MILLER, JR., President, Duplex Advertising, representing the Sign Committee, presented the final report on development of signage criteria for several of Austin's scenic arterials. He said most of their criteria have been adopted in the zoning on 183 and extended highway overlay plan. Mr. Miller told Council they are recommending the Sign Committee Task Force be abolished.

Councilmember Cooke moved that the Council accept the report of the Sign Committee Task Force, commend the Committee and dissolve the Committee. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

URBAN TRANSPORTATION COMMISSION

MS. SALLY WITLIFF, Chairman, Urban Transportation Commission, reminded Council that after they heard the problems of Cannon Park and St. John's neighborhood involving Atkinson Road, they requested Urban Transportation Commission to take a look at how best to restore the east-west traffic movement on Atkinson Road, specifically paying attention to neighborhood concerns and desires and have a public hearing held in the neighborhood. The Commission established a task force and a public hearing was held at St. John's Community Center on October 2. She referred to the cover letter of the report Council received, in which the concerns were enumerated but did not discuss them. The City and neighborhood group both had suggestions for the re-establishment of east-west traffic on Atkinson Road. She discussed Option 2 and Option 4, which have been suggested. The Task Force recommended that they recommend to Council Option 4 which is essentially the neighborhood's suggestions. However, the full Commission also wanted Option 2 presented to Council. The difference is, Option 4 provides the maximum amount of access for Bennett Avenue and Atkinson Road. It is a straight, non-interrupted east-west movement on Atkinson Road, which is a strong desire of the neighborhood. The Commission felt this could have a possible detrimental effect in the future on Bennett Avenue. The majority of the neighborhood group, when presented with this idea at their public hearing, did not view this as a major concern. The full Commission recommends Option 4 which is the one that provides the maximum amount of access.

Councilmember Goodman recommended this item be placed on the Agenda for possible action next week, since Council is not posted for action on this item today. He also asked Council be provided with cost estimates for alterations for both Option 2 and Option 4 and if there are any available monies, and any legal implications that may be involved. Time was set for 10:15 on September 4, 1980.

Motion Made and Withdrawn

Councilmember Goodman moved that the Council bring the item back for action on September 11 Agenda at 10:15. The motion was seconded by Councilmember Cooke. However, the motion was withdrawn when the City Attorney stated there was no necessity for one.

CONGRESS AVENUE TROLLEY

Mayor McClellan introduced an item to Council to consider a feasibility study of a "Central Business District Trolley," including sources of funding.

Councilmember Cooke thought this would be a direct implication on what Council has already decided on Congress Avenue. He said the trolley would take two lanes and there would be guide wires across the street. He also thought a trolley down the middle of the avenue would prevent parades. Councilmember Cooke felt this concept at this time is not appropriate and he cannot support it.

Mayor McClellan requested Council look at the feasibility before they reject the idea. City Manager Davidson advised that if a study is undertaken there should be a consulting firm to do it. Mayor McClellan said she wants a staff report concerning costs, etc.

WOODROW SLEDGE appeared before Council and recalled when there used to be trolleys on Congress Avenue and said there had been no conflict between parades and trolleys then.

CONGRESS AVENUE REPORTS

Mr. Daron Butler, Assistant City Manager, presented the City Manager's Report on the request by the Mayor and Council for projected costs to temporarily close two lanes of Congress Avenue to get an idea of what it will be like when it is permanently closed. The conclusion of the report was that a trial run would cause a delay in the start of the actual construction and cost of the test would be between \$71,500 and \$96,500. Members of the Council, Mayor McClellan, Mr. Davidson, and Dr. Benson, Director of Urban Transportation, all discussed this issue. Mayor McClellan concluded the discussion by saying she is not willing to commit \$96,000 for a trial run and rescinded the idea.

GARRISON PARK ROAD PROPOSAL

Mr. Leonard Ehrler, Director of Parks and Recreation, presented the following report on Garrison Park Road Proposal:

"The 77-78 Capital Improvement Project funding designates \$40,000 for the construction of a maintenance facility at Garrison Park. The Office of Facility Planning and Construction estimate for the structure was \$40,000. The Department now feels that the existing pool storage/maintenance area currently used by the Aquatics Section can be utilized to fulfill the need for a maintenance facility in the park. The adaptation of an existing structure to a necessary park use is also more consistent with the guidelines being developed through the Master Plan. However to be fully functional as a maintenance facility, a new park road would be required. Based on Engineering Department estimates the road construction cost would be approximately \$12,000, leaving \$25,000 in the maintenance complex fund.

"With the remaining \$25,000, I am proposing to extend the maintenance facility roadway to connect with the ballfields parking lot thus creating a loop circulation pattern for the park. In addition to improved traffic movement within the park, the Little League officials have agreed to move from the south side of Zilker Park in exchange for roadway connecting the Garrison Park ballfield parking lot with the Crockett High School parking lot adjacent to the park. Upon completion of the road, the Little League would remove the backstop, fencing, lighting and other structures from the Zilker south side area. As you know, such a move could provide tremendous relief from the overcrowding and parking problems created by the combination of Little League activities and the Barton Springs Pool South Side entry gate. The Austin Independent School District has approved the park road to connect with their parking lot and Manchaca Road.

"An Engineering Department estimate of \$40,039 has been given for a asphalt road, without curb and gutter, extending from the Austin Independent School District parking lot to the park maintenance facility and continuing to the existing ballfield parking lot.

"Although the original project was funded at \$40,000, only \$37,000 remains due to changes for design of the facility from the Office of Facility Planning and Construction. The project can be done with the remaining amount due to the decrease in the length of the road from the original estimate.

"From the park planning, operation, and maintenance standpoint, the Department strongly recommends the proposed park roadway construction. If you feel the proposal is justified and should be pursued, I will obtain final cost estimates and funding proposals for the project."

No action was taken by Council.

TAXICAB STARTERS AT MUNICIPAL AIRPORT

Mr. Roy Bayless, Airport Director, presented the following report on Taxicab Starters at Municipal Airport, accompanied by slides:

"During the 1979-80 budget process, Council approved the concept of placing taxicab starters at the Municipal Airport and authorized the necessary personnel, materials and equipment to be included in the FY-79/80 Aviation Department Operating Budget. This authorization was contingent on the development of a method to recoup the cost of the program is to assist passengers in obtaining ground transportation and to regulate the loading of taxicabs.

"Since our last communication on this subject, February 20, 1980, we have had additional meetings with the franchise holders and drivers of the taxicab industry. Additionally, the Urban Transportation Commission held a public hearing on April 2, 1980, to discuss the method of funding the program. It is a joint consensus that the method acceptable to most parties is the establishment of a gate fee system and amending the City Code to permit the cost of the gate fee to be passed on to the taxicab user in the form of a surcharge. The surcharge will be proposed at 50 cents per trip on all trips originating at Municipal Airport. The Urban Transportation Commission endorsed this proposal by a vote of four (4) in favor, two (2) opposed, and one (1) abstaining.

"In accomplishing this project, we propose to modify the roadway in front of the terminal by the installation of a median (see attachment). This will almost double the curbside space available for loading and unloading passengers and baggage. In addition, it provides a means of separating taxis, busses, courtesy cars and other commercial vehicle traffic from the area immediately in front of the terminal building. The taxi stand will be located on the west end of this median. Representatives of the Department of Aviation and Urban Transportation observed this system in operation at the El Paso International Airport where it works extremely well. We will also install eight to ten short term metered parking spaces on the east end.

"Concurrent with approval of the taxicab starter program, the City Council approved necessary funding for personnel and equipment in the current budget. These funds have not been expended to date. We can accomplish the proposed improvements using funds budgeted for this program.

We should mention that two of the taxi franchise holders expressed a desire for some sort of cover over the proposed taxi stand. We do not have sufficient funds to respond to this and would also point out that the taxis serve approximately 10 percent of the airport passengers. If a cover is warranted at all, it would appear that the taxi stand should not be the first priority.

"If it meets with Council's approval, we will proceed with the installation of the median, control equipment, and the hiring, training and assignment of personnel to this program. The ordinance amendment will be submitted at the appropriate time to initiate the airport surcharge."

Mr. Bayless stated, "Should the program meet with the Council's approval, we would like to go ahead with the proposed improvements, hire the taxicab controllers, train them and probably have them in place and the program operating in about 120 days."

Motion

Councilmember Mullen moved that the Council approve taxicab starters at Municipal Airport. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Himmelblau

Mr. Bayless said, "An ordinance has to be put into effect in 30 days so I think that we have to come back with an ordinance amending it so we can establish the surcharge." Mr. Davidson stated, "We will start moving on Council's motion today, but that is correct, eventually we will need an ordinance."

REQUEST

A City Manager Report entitled "Request by Mr. Emmett Shelton," was covered by Mr. Daron Butler, who stated, "In response to Mr. Shelton's request that he be exempted from the moratorium, we found ourselves in a procedural difficulty because the moratorium is going to end by the time Council could enact an ordinance so what we did was simply say if you are inclined to extend it we would recommend his exemption at that point, but now he will simply be able to proceed on the 3rd as it is, and we recommend that."

PARKING SPACE LEASE

Assistant City Manager Butler stated, "Some time ago Dr. Tesar asked Council to lease him some parking spaces (City lot spaces for Liberty Lunch after hours). Basically we have a recommendation and back up material that states we really do not recommend that but should Council desire to proceed that way we would like to have an opportunity to work with him on litter control, signing, some issues about security of City property, etc. We stand prepared to work with him as Council should direct."

Councilmember Mullen said he would like to direct the City Manager to direct staff to work with Dr. Tesar. Mr. Butler said, "Perhaps we could get with him and then come back with a lease arrangement on the number of spaces....we do have concerns about litter control and perhaps we can work it out." Councilmember Mullen said it should be Dr. Tesar's responsibility.

Dr. Tesar said they have a Special Permit from the Planning Commission to become a lounge as opposed to a night club as they sell more beer than food. His lease cites him as having a restaurant so he requested to have the opportunity to change the lease statement to say restaurant and/or lounge. Mr. DeLaRosa said that can be taken care of. Mr. Butler said this would be brought back in an appropriate amount of time after negotiations have been concluded.

August 28, 1980

ADJOURNMENT

Council adjourned its meeting at 6:40 p.m.

APPROVED:


Mayor

ATTEST:


City Clerk