

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 16, 1980
6:00 p.m.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: None

NATIONAL BUSINESS WOMEN'S WEEK

Mayor McClellan read a proclamation designating the week of October 19-25, 1980 as National Business Women's Week. Present in the Council Chamber to receive the proclamation with their thanks and appreciation were: Jerry Booth, president, Austin Business and Professional Women's Club; Shirley Swift, president, Capital City Business and Professional Women's Club; and members Bon H. Owens, Margarine G. Beaman, Dorothy Innerarity, and Angie Garner.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes for the Special Meeting of September 15, 1980. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

BOARD AND COMMISSION APPOINTMENTS

Mayor Pro Tem Trevino moved that the Council appoint the following board and commission members:

Construction Advisory Committee, Roger C. Bailey, term expires 10/1/82
Manpower Advisory Planning Council, Sally C. Garcia, term expires 9/30/81
MH/MR Board of Trustees, Judy Yodof, term expires 9/30/82
Environmental Board, Dr. Juan Valera-Lema, term expires 7/1/82 and
Granger McDonald, term expires 7/1/82

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

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

Future Appointments

Mayor McClellan announced the following board and commission appointments will be made October 23, 1980:

On-Going Goals Assembly Committee, 3
Community Development Commission, 3
Vending Commission, 1
Dental Health Advisory Committee, 2
Human Relations Commission, 1
MH/MR Board of Trustees, 1
Manpower Advisory Planning Council, 5
Building Standards Commission, low income tenant, 1

Austin Community Education Consortium, 3
Construction Advisory Committee, 3
and
Electric Utility Commission, 1

MISS BLACK AUSTIN PAGEANT

Mayor McClellan introduced to the Chamber audience representatives of the Miss Black Austin Pageant. Miss Mary Miller, Miss Black Austin, 1979-80 invited Councilmembers and members of the audience to attend the Pageant Saturday, October 18, 1980 at the Municipal Auditorium at 8:00 p.m. The contestants then introduced themselves. They are: Letitia Ellis, Carolyn Elaine Cubit, Errollyn Yvette Franklin, Vera Martin, Tselane Brown, Creola Louise Shaw and Deborah Sturns.

SHOAL HIKE AND BIKE PROJECT

Councilmember Mullen moved that the Council adopt a resolution to approve acquisition of certain land for the Shoal Creek Hike and Bike Project, CAPITAL IMPROVEMENTS PROGRAM, No. 75/86-13: 4,424 square feet of land out of Outlot 11, Division "Z" (Pete G. Vescova, et ux. owners) The motion, seconded by Mayor McClellan, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

A Sanitary Sewer Easement as recorded in Volume 1561, Page 268 of the Deed Records of Travis County, Texas, 1721 E. Riverside. (Requested by Arthur Villeda, Water and Wastewater Engineering Division)

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

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

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of a 7.5' Public Utility Easement located in Lot 11, Block H, Northwood Section II, 4005 Palomar Lane. (Requested by Jim Rado, representing Randy Morine)

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

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

Noes: None

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

4.0' of a 7.5' Public Utility Easement located in Lot 1, Southwest Addition, 1900 William Cannon Drive. (Requested by Mr. G.V. Magnuson, President of the Southwest National Bank)

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

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

Noes: None

PAYMENT AUTHORIZED

Councilmember Mullen moved that the Council adopt a resolution authorizing payment to the following:

INTERREGIONAL 26, LTD.

- CAPITAL IMPROVEMENTS PROGRAM -
The cost difference of 12"/8"
water main installed in Inter-
regional 26 Subdivision -
\$18,555.30 C.I.P. No. 75/22-07

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

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

Councilmember Mullen moved that the Council adopt a resolution authorizing payment to the following:

UNIVERSITY SAVINGS

- CAPITAL IMPROVEMENTS PROGRAM -
The cost difference of 12"/8"
water main in North Ridge Park,
Section One - \$8,408.98 C.I.P.
No. 75/22-07

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

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

CONTRACTS APPROVED

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

- Bid award:
- Repair Parts, Equipment, Technical Supervision, and other items necessary for the disassembly, inspections and repairs for Decker #1 & #2, Electric Utility Department - \$142,000.00
- WESTINGHOUSE ELECTRIC COMPANY
1445 West Loop South 610
Houston, Texas
- Principal Contractor - \$79,000.00
- Various other Contractors
- For support and other items determined necessary - \$63,000.00

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

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

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

- SEAWARD CONSTRUCTION COMPANY
Route 236
Kittery, Maine
- CAPITAL IMPROVEMENTS PROGRAM -
345 KV Transmission Line South
Texas to Lytton Springs, Electric
Utility Department - \$2,064,870.00

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

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

INTERLOCAL ASSISTANCE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution expanding the Interlocal Assistance Agreement to include the County of Blanco as a participating member in the Greater Austin Area Organized Crime Control Unit. The motion, seconded by Mayor McClellan, carried by the following vote:

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

EMS CONTRACT

Councilmember Mullen moved that the Council adopt a resolution entering into a contract between the City of Austin and Wesley M. Wallace, M.D., and Ken Marburg, M.D., for medical direction of the Emergency Medical Services Department, effective October 1, 1980 through September 30, 1981 in the amount of \$54,600. The motion, seconded by Mayor McClellan, carried by the following vote:

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

THE CAPITAL OF TEXAS HIGHWAY

Councilmember Mullen moved that the Council adopt a resolution adopting the Department of Highways and Public Transportation Minute Order 77421 concerning the City's participation in construction of a scenic overlook on the Capital of Texas Highway (Loop 360). The motion, seconded by Mayor McClellan, carried by the following vote:

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

WATER SUPPLY CONTRACT

Councilmember Mullen moved that the Council adopt a resolution approving a water supply contract with University Savings Association. The motion, seconded by Mayor McClellan, carried by the following vote:

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

EMPLOYEE BUS PASS PROGRAM EXPANDED

Councilmember Mullen moved that the Council adopt a resolution expanding the Employee Bus Pass Program to include Park and Ride Services. The motion, seconded by Mayor McClellan, carried by the following vote:

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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on revisions to the Electric Rate Ordinance setting the criteria for the General Services Demand Classification at 30 KWH of demand and 10,000 KWH of energy consumption for October 30, 1980 at 4:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution setting a public hearing for November 20, 1980 at 7:00 p.m. to amend the Roadway Overlay Ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Councilmember Mullen moved that the Council set a public hearing to amend Barton Creek Watershed Development Ordinance relating to the implementation of a water quality monitoring program for November 6, 1980 at 9:45 a.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

GRANT AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution accepting 6th Year Community Development Block Grant Funds in the amount of \$5,870,000 and authorized entering into a grant agreement with the Department of Housing and Urban Development. The motion, seconded by Mayor McClellan, carried by the following vote:

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

BIYCLE PATH OR LANE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 6, SECTION 6-27 OF THE CODE OF THE CITY OF AUSTIN, 1967, BY DELETING SECTION 6-27; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 41 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON LEAGUE NO. 17 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-80-003)

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

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

Noes: None

Abstain: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

COMPREHENSIVE ENERGY MANAGEMENT TASK FORCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A COMPREHENSIVE COMMUNITY ENERGY MANAGEMENT PROGRAM TASK FORCE TO WORK TOWARD THE DEVELOPMENT OF AN AUSTIN ENERGY MANAGEMENT PLAN; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

COUNCIL MEETINGS CANCELLED

Mayor McClellan introduced the following ordinance:

G-4
Doc 17
10/16/80

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

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

The Mayor announced that the ordinance had been finally passed.

BOARD AND COMMISSION ATTENDANCE RULES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING PART 3 OF ORDINANCE NO. 780511-J; PROVIDING FOR THE INELIGIBILITY OF MEMBERS OF CITY BOARDS, COMMISSIONS, COMMITTEES, AND TASK FORCES WHO MISS ONE-THIRD OF ALL REGULAR MEETINGS IN A TWELVE MONTH TIME PERIOD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

LIFELINE RATE - FAILED

Mayor Pro Tem Trevino moved that the Council amend the Electric Rate Ordinance by adopting Lifeline Rate Proposal No. 7. The motion, seconded by Councilmember Snell, failed to carry by the following vote:

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

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 3 AND 4, BRENTWOOD A, LOCALLY KNOWN AS 6601-6603 BURNET LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mrs. Frank E. Pease, C14-80-070)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A .42 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4303 SOUTH FIRST STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Arlon Bindsell & wife, C14-80-149)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOTS 4-7 RESUB. 5HB SIDERS/MA JARRELL, LOCALLY KNOWN AS 3912-3916 MEDICAL PARKWAY AND 1104 WEST 39-½ STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Maurice D. Cohn, M.D., Thomas E. Hughes, Jr., M.D. & Milton W. Talbot, Jr., M.D., C14-80-150)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 1 AND LOT 2, PHASE 4 OF THE COURTYARD AND A 0.115 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5608-5804 COURTYARD DRIVE, FROM INTERIM "AA" RESIDENCE-PUD, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Westover Hills, Inc. & C.G.I. Investments, C14-80-156)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

AN 8.115 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8899, 8901-8929 RESEARCH BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (John & Jennifer Bird, C14-80-157)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A 67.50 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 9700 NORTH LAMAR BOULEVARD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Van Cleave Development Co., Inc. C14-80-134)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A 1.158 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1703 NORTH BLUFF DRIVE (JUDGE SEBRON SNEED HOME), FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND INTERIM "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Judge Sebron Sneed Home, C14h-77-011)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A 25,225 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7806 AND 7808 SOUTH FIRST, FROM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (G.R. Owens, Jr. C14-80-147)

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

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

Noes: None

Abstain: Mayor McClellan

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT 1: A 45.92 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 68.16 ACRE TRACT OF LAND, SAVE AND EXCEPT THE LAND DESCRIBED IN TRACT 3 BELOW, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT, AND,

TRACT 3: THE WESTERN AND NORTHERN MOST 100 FEET OF A 68.16 ACRE TRACT OF LAND, SAID 68.16 ACRE TRACT OF LAND DESCRIBED IN TRACT 2 ABOVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 5803-6219 RIVERSIDE DRIVE AND 5100-5500 MONTOPOLIS ROAD AND 5500 OLTORF STREET; 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. (RPC Investments, Inc. C14-80-133)

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

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

Noes: None

Abstain: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A 1.786 ACRE TRACT OF LAND, LOCALLY KNOWN AS 9827 HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, 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. (Frank Yi, C14-79-268)

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

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

The Mayor announced that the ordinance had been finally passed.

OLD MAIN LIBRARY RENOVATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENTS PROGRAM BUDGET FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING \$440,000.00 FOR THE RENOVATION OF THE OLD MAIN LIBRARY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan said she would draft a thank you letter to EDA from all Councilmembers.

PUBLIC HEARING ON FEE INCREASES FOR
SUBDIVISION AND ZONING APPLICATIONS

Mayor McClellan opened the public hearing scheduled for 6:00 p.m. to amend Chapters 41 and 45 of the Austin City Code relating to fee increases for subdivision and zoning applications.

Mr. Lillie, Director of Planning, stated, "We attempted in this fee increase proposal to meet the goal of the Council in that fees match the cost of service that is generated by personnel and operational costs of the department. The schedules have been reviewed by the Planning Department and the Planning Commission. A public hearing was held and the fees are recommended as you have them in your packet. They do include under zoning Special Permit and P.U.D. fees 100% of the cost of service and under subdivision fees, 100% of the cost of service.

Robert Mann appeared before Council and told them they already know how he feels about this. He said he represents people who are not here to speak to them and who do not live in Austin, yet, perhaps. Mr. Mann opined that the cost of raising fees to someone buying or building a home will be about \$600.00 a lot.

Motion

Councilmember Cooke moved that the Council close the public hearing and adopt the ordinance. The motion was seconded by Councilmember Himmelblau.

Councilmember Mullen said he had asked for some information last week and has not received it. He said he will vote for the ordinance but reserves the right to bring it up again next week. He said he wants the formulas used to determine how the fees were set.

Councilmember Cooke said he is agreeable to closing the public hearing and bringing back the ordinance in two weeks.

Roll Call on Amended Motion

Roll Call on motion to close the public hearing and bring back in two weeks, carried by unanimous consent.

Councilmember Goodman said he would like a report from the Tax Department on Mr. Mann's statement that this will increase the value of current house appraisals.

COST PARTICIPATION POLICY
UPPER WILLIAMSON CREEK

Mr. Bill Bulloch, Acting Director, Water and Wastewater, presented the following report on Proposed Cost Participation Policy for the Upper Williamson Creek Distribution Main:

"During the last six months a number of subdivisions have been preliminarily approved within the Upper Williamson Creek Watershed, with water service being a major issue with respect to the ability for these subdivisions to be finally platted. It has become apparent that a major water distribution facility with associated pumping capacity will have to be constructed in order to provide water service to these subdivisions. The staff has noted this, and through Appendix B of the Southwest Area Study presented to the Planning Commission and Council in August detailed possible alignments for this facility should these subdivisions be finally platted.

Based upon the above facts, the staff has prepared the following policy proposal for the City Council's consideration that will, if approved by Council, facilitate the final platting of these subdivisions. The proposal has several components as follows:

1. Identify a distribution main with a service area that will provide adequate water service to this portion of the Upper Williamson Creek Watershed (Attachment A);
2. Allocate a cost for the line and pumps based upon a living equivalent basis (Attachment B);
3. By ordinance, assess this living unit equivalent cost to each lot platted within the service area;
4. Escalate the per living equivalent charge each year by a factor of 12% per year compounded;
5. Authorize, through this same ordinance, the City staff to construct pieces of the line, as necessary, for system and service continuity. Specify that the staff will come back to Council for specific construction authorization on any portion of the line prior to construction. Funds for this construction would be derived from current revenues; and,
6. Collect this living unit equivalent charge in cash at the time of final platting.

Depending upon density, this line can serve an area greater or less than the 2,745 acres identified in the Southwest A Pressure Area. Based upon a density of three (3) units per acre, there will be up to 1,818 of the 10,187 living unit equivalents that will lie outside Southwest Pressure Area A and in Southwest Pressure Area B. If this policy were approved, and the above density situation occurred, the allocation of this capacity in Southwest Pressure Area B would be made through the subdivision platting process, with the same living unit equivalent charge made at the time of final platting.

The allocation of any line capacity, if available through the approval of this proposal, will be based upon the normal subdivision platting process. The above charges and procedure would also apply to all lots served through this line.

Also, based upon this proposal, the entire cost of the line will be covered by this living unit equivalent fee once the service area is entirely developed.

Mayor McClellan thanked Mr. Bulloch for his report and told him Council will want some time to consider the aspects.

MONTHLY STATUS REPORT ON SOUTH TEXAS PROJECT

Mr. R.L. Hancock, Director of Electric Utility, presented the following Monthly Report on South Texas Project:

"The status of the project through the month of August, 1980 is as follows:

	<u>Cumulative Progress - % Complete</u>	
	<u>Actual</u>	<u>Scheduled</u>
Engineering	76.5	77.2
Construction		
Unit #1	58.9	69.2
Unit #2	21.9	19.4
Total	43.9	49.1
Scheduled Fuel Load Unit #1	September, 1983	
Scheduled Fuel Load Unit #2	September, 1985	

Progress during the month of August was below baseline schedule for Unit #1 and above baseline schedule for Unit #2. Overall construction progress was below baseline. Brown & Root on-site personnel during August was 2,936.

Although currently the project is behind baseline schedule, as the holds on critical concrete and welding are released and full production work is restored, opportunities should exist to return the project back to baseline schedule.

During the month of August, construction activities continued to be impacted by the stop works in the areas of ASME and AWS welding, coatings and complex safety related concrete. Major construction activities for the month continued to be limited to non-safety related concrete placements, earthwork, piping electrical terminations and coatings.

HVAC installation has not started and the HVAC installation is being viewed as a severe problem because it may impact the completion of the MEAB and become a critical path item. Houston Lighting and Power Company has worked with the Contractor to expedite the securing of another HVAC subcontractor, and on September 8, 1980, Brown & Root submitted their recommendations to Houston Lighting & Power Company. Subsequent to review and approval, Houston Lighting & Power Company instructed Brown & Root to enter into negotiations with the recommended subcontractor so that this work could proceed.

Containment liner coating on Unit #1 was completed on September 9, 1980 except for areas around the equipment hatch and the polar crane rail girder supports. Coating of concrete in the RCB #1 is still on hold due to inspection work as part of the show cause order.

Brown & Root is still experiencing difficulties, with staffing the engineering activities due to personnel turnover, competition in the Houston area and additional scope items. Brown & Root is presently developing a plan to consolidate key engineering groups with large quantities of remaining deliverables into one office location for more effective management.

The project continued to concentrate its most significant effort on resolution of the NRC Show Cause Order. As reported before, a public meeting was held in Bay City on August 19, 1980 and corrective actions for the identified action items are being implemented as resolutions are developed. Very significant progress has been made in this area and as a result, on October 3, 1980, the Nuclear Regulatory Commission agreed to the restart program in the AWA welding area. On October 6, 1980, Brown & Root resumed AWS welding on the cable tray supports. Welding was started here because the cable tray supports are in the critical path of construction with the restart plan with full production welding expected by January 1, 1981.

The ASME welding restart plan and the complex concrete placement restart plan are well into their implementation and work in both of these areas will begin as soon as NRC release is obtained. It is hoped early approval will allow some work to be started in late October.

On October 4, 1980, the project sponsored an open house to the employees and family members of the four participating utilities. Approximately 9,000 people took advantage of the opportunity to visit the project.

In accordance with a previous Council request, this report includes quantity production rate status for Unit #1 and common and Unit #2 (see attached sheets). These are summary quantities and more detailed information can be provided, if the Council desires.

As of the end of August, 1980, Austin's incurred cost for its 16% share of the project was \$236 million."

ZONING HEARING

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

CLARENCE & VERA
WILLIAMS
By Bobby Taylor
C14-80-100

3211 Jack Cook also
bounded by Northeast
Drive to the north
& Manor Road to the
east

From "A" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
NOT RECOMMENDED by the
Planning Commission

Mr. Lillie reviewed the application by use of slides.

Mr. Bobby Taylor, representing the applicant, said the house will be used as the office for Mr. Clarence Williams janitorial service. He explained the layout of the neighborhood and that the front of the property will open on Manor Road. He said Mr. Williams is agreeable to fencing, landscape and roll back covenant.

Mr. Courley appeared and said he owns a home across the street and the approval of the zoning request will devalue his property.

Jack White, who has a duplex in the neighborhood, is against the zoning.

Councilmember Snell asked if the use Mr. Williams wants could be accomplished through the home occupation ordinance. Mr. Taylor told him it cannot as Mr. Williams will not reside in the house as his residence but will use it as an office only.

Discussion followed among Councilmembers concerning adjoining properties and various possibilities.

Motion

Councilmember Cooke moved that the Council grant "LR" Local Retail, 1st Height and Area District with fencing on west side and landscape on north side toward neighborhood; limit number of vehicles parked at one time to 4; roll back if permitted use changes. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Snell, Mayor Pro Tem Trevino
Noes: Councilmember Himmelblau, Mayor McClellan
Not in Council Chamber when roll was called: Councilmember Mullen

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

BIKEWAY AND METROPOLITAN ROADWAY PLANS

Mayor McClellan opened the public hearing, set for 7:00 p.m. on the Proposed Bikeway Plan and Proposed Austin Metropolitan Area Roadway Plan. Dr. Benson, Director of Urban Transportation, displayed maps and discussed the proposed Bikeway and Metropolitan Roadway Plans.

CURTIS WILLIAMS, who was formerly in Urban Transportation Department and is now the Environmental Department, discussed the Bikeway Plan. (Copy of the Plan is on file in City Clerk's office.)

MIKE WEAVER presented an overview of the Austin Metropolitan Area Roadway Plan. (Copy of the Plan is on file in the City Clerk's office.)

Councilmember Goodman asked why the Barton Skyway Bridge was still in the Plan. City Manager Davidson stated it had been removed from the CIP but not from the Roadway Plan.

MS. SALLY WITLIFF, chairman of the Urban Transportation Commission, discussed the Roadway Plan. She said it addresses the core area of the city and incorporates the roadways, bikeways and pedestrian areas of the city.

MR. RICHARD SCHOCKET, member of the Environmental Board, spoke in support of the proposed Bikeway Plan. He said there must be effective enforcement of no parking in bike lanes.

JAY BOND appeared in support of the Bike Plan. He is, however, opposed to bikes being restricted from 35 mile per hour roads as many of these are the only route to a given place. He asked for greater cooperation between cyclists and motorists.

CELESTE KROMAK, president, Hyde Park Neighborhood Association, asked that 38th Street be a collector street and said there should be an alternative for 35th Street rather than widening of the street. She said she hopes, as the Plan progresses, that Council continues to work with the neighborhood.

RON ALLEN, president, Balcones Civic Association, thanked the staff and Council for the time they have spent on the plans. He expressed appreciation for the way Steck Avenue has been handled. He asked Council to remove the proposed extension of Mesa Drive to 183.

SUSAN JEFFRIES, representing Austin Cycling Association, endorsed the Bikeway Plan. She asked for (1) overcoming of barriers; (2) good maintenance of bike facilities; (3) education and safety concerning cyclists; (4) a link between north and south and east and west. She urged adoption of the Bike Plan.

An unidentified person addressed repeal of the 627 Code on the grounds it has been repealed on the state level.

DENNIS MCCLENDON urged adoption of the Bike Plan.

HERMAN WATERS requested deletion of Mesa to 183 from the Roadway Plan.

STEVE COLLINS told Council he supports the Bikeway Plan. He also pointed out south Austin has no routes.

RUTH SIMMS said bicycle commuting, at present, is dangerous. She asked Council to adopt the plan, maintain the bikeways, do not enforce ban of cyclists on roads posted for 35 miles per hour or more, and urged a more considerate attitude of motorists toward cyclists.

MIKE HOWARD urged adoption of the Bike Plan.

ELMER BORN, vice president, Mesa Drive Civic Association spoke about Duval Road. He asked Council to take out the dog leg and maintain current alignment.

SHIRLEY MACKEN urged adoption of the Bike Plan and expressed concern about the number of cars parked in bike lanes.

HARRY WEBSTER supports the Bikeway Plan.

JOHN GAYNOR thanked Councilmember Goodman for supporting and funding for the Bikeway Plan and expressed his support of it. He said a bike commuter route is needed and reiterated what others said about education and enforcement of regulations.

BOB STEELE said there should be a way to cross I.H. 35 and supports the Bike Plan.

JIM YANCE appeared in support of the Bike Plan.

TOM DELANEY spoke in favor of the Bike Plan.

WILLIAM PURSE, representing Sierra Club and Texas Trails urged approval of the Bike Plan.

CHARLES BERGSTROM expressed his opinion that dog leash laws should be enforced as dogs bite bikers.

PHILLIP CURRY is in favor of the Bike Plan and wants well maintained bike paths.

Motion

Councilmember Goodman moved that the Council close the public hearing, adopt the Bikeway Plan, and adopt the Austin Metropolitan Area Roadway Plan with changes to leave 45th Street as it is, defer action on William Cannon Drive and Duval Road, delete the Barton Skyway Bridge and all mention of it except to say the area is under study, delete the extension of Mesa to 183, leave the right-of-way on 38th Street at its present 60 foot width. The motion was seconded by Councilmember Cooke.

Friendly Amendment

Councilmember Cooke offered a friendly amendment to downgrade to minor arterials Juster Boulevard and McNeil Drive from U.S. 183 to FM 2222, and that they be built to low density standards rather than urban curb and gutter standards.

Councilmember Goodman referred to requests made by the speakers at the public hearing and said, "I'd like to know about what happened to the bike lane on Steck Avenue. What I'd like is for the appropriate remarks to be referred to the Citizens Traffic Safety Commission, and/or the Urban Transportation Commission and for staff response to a couple of items like, what can we do about maintenance. Are there any specific intersections or areas that could be lighted. What about additional crossing over Town Lake. That's a very major artery linking south Austin with the rest of Austin and the only area that comes to mind is getting one side of the Congress Avenue Bridge converted to a bike lane.I'd like to recommend we have a specific sum to cover the recommendations that are contained in the Bikeway Plan at the next bond election. Mayor, as both you and I know, sometimes the voters get confused on these issues, but I

think that is one that they would readily support and we could made the whole bond package more attractive. The only other major one I would like is, do we have plans to develop some specific commuter routes subsequent to adoption of this plan.I don't think I've mentioned, there is on critical link missing in the Bikeway Plan and that's between 5th and 6th. Would either of those streets be feasible for a bike lane on at least one of them?"

Councilmember Goodman then referred to his revision of the introduction which he had given to Councilmembers. There was discussion about this and Councilmember Cooke suggested staff work on it with what is already printed. City Manager Davidson agreed this would be fine and he can see no problem with the suggested paragraphs.

Roll Call on Motion with Friendly Amendment

Roll Call on Motion with Friendly Amendment showed the following vote:

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

USE OF BALCONES DISTRICT PARK

Mr. Leonard Ehrler Jr., Director, Parks and Recreation Department, presented the following report on "Joint Venture Agreement for Interim Public Use of Balcones District Park."

The Parks and Recreation Board at its regularly scheduled meeting held September 23, 1980, reviewed and discussed a proposal submitted by representatives of the Mesa Park Civic Association, Angus Valley Neighborhood Association, and Walnut Crossing Homeowners Association, for interim public use of Balcones District Park. During the discussion, Mr. Stanley Parrotte, President of the Mesa Park Civic Association, explained Little League soccer teams in the Mesa Park area were in need of a place to practice until the season is over in November and asked if an area in the park could be used for that purpose. Mr. Parrotte explained there would be nothing of a permanent nature for soccer practice, only a place to run.

The proposed agreement would enable several thousand residents of North Austin not served by public parks, to use two portions of Balcones District Park for very basic recreation purposes until such time as funding is available to develop the park. As a part of the agreement the neighborhoods agree to the following conditions:

1. There will be no permanent structures or facilities placed on the sites.
2. There will be no disturbance or cutting of vegetation other than mowing of areas designated by the department.
3. Public use of the park will be only on a temporary basis and will be fully subject to change pending development of a master plan for Phase I development of the park.
4. The neighborhoods will work with the Parks Division staff in developing barriers for the control of automobiles and will assist in supervising the parking and temporary use of the park.
5. The neighborhoods will work with the Parks Division staff in the mowing of designated areas, preventing littering of grounds and initially assisting with minimal site improvements. No demands for regular maintenance will be placed on the staff.

The proposed uses of the park are for open play, practice fields, picnicking and limited use of primitive nature trails. Parks and Recreation Department staff have designated two areas for use, one on the west end of the park with access off of Duval Road and the other on the east side of the park with access by foot on a cleared trail. The neighborhood groups have also asked that very basic portable facilities to support temporary use of the park be provided by placement of garbage receptacles and picnic tables. Should funds not be available for picnic tables, the neighborhood groups have offered to repair broken or otherwise unusable tables for use at the site.

Should any of the neighborhood groups not be able to live up to their part of the agreement, the project would come to an immediate end and no demands for maintenance or supervision would be placed on the City of Austin by the neighborhood groups.

Parks and Recreation Department staff believes that this concept, properly approached, could go a long way toward neighborhood groups taking a greater interest in undeveloped parklands. Through encouragement of limited public use in appropriate areas and a willingness to assist in minimum site maintenance and supervision, there is the potential for neighborhoods to identify more positively with vacant parklands. Presently, areas such as Northeast District Park and Balcones District Park frequently sustain undesirable uses (garbage dumping, vehicular use, destroying of vegetation, etc.).

The Parks and Recreation Board, after reviewing the request took the following action:

"It was moved by Mrs. Arnold and seconded by Mrs. Isely, that the Parks and Recreation Board recommend to City Council approval of a joint venture agreement for interim public use of Balcones District Park by representatives from the Mesa Park Civic Association, the Angus Valley Neighborhood Association and the Walnut Crossing Homeowners Association and the City of Austin; and approval of use of a portion of the park by the Mesa Park Little League group for soccer practice only until November 1980. The motion carried with the chairman not voting."

Motion

Councilmember Mullen moved that the Council approve the Joint Venture Agreement for Interim Public Use of Balcones District Park. The motion, seconded by Mayor McClellan, carried by the following vote:

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

TAX APPEAL RESCHEDULED

The Council, on Councilmember Mullen's motion, Mayor McClellan's second, approved by unanimous consent the request of Mr. Edgar E. Hoppe to reschedule his Tax Appeal hearing, previously set for November 13, 1980, to December 4, 1980 at 3:00 p.m.

PROPERTY DISCUSSED

MS. NANCY ZISMAN appeared before Council to discuss the property located between Rio Grande and Nueces, and between 25th and 26th Streets. She asked the City to research what is being planned for the area.

COLISEUM RENTAL RATES DISCUSSED

MRS. JAMES F. REEVES appeared before Council to request consideration of rates charged for rental of coliseum by a non-profit organization for a benefit. She represents the Settlement Club who will hold their rummage sale there. She said the rates are considerably higher this year and asked for reduction in the rental cost. After remarks from the Mayor and explanation by Ron Wood, Director of the Auditorium and Coliseum, Councilmember Goodman suggested the matter be referred to the City Manager and his staff for study. Mr. Davidson said he will report back on October 23, 1980. Mayor Pro Tem Trevino asked for a list of other non-profit organizations which will be using the facilities.

SIGN ORDINANCE

MR. RICHARD A. PATRICK appeared before Council to urge them to take action on the Sign Ordinance. Mayor McClellan said the matter will be included in the October 23, 1980 Council Meeting Agenda.

MR. CARL DAYWOOD, MR. JOHN DAVISON, and MR. ARTHUR E. HAMILTON also appeared under Citizen Communications and spoke in favor of the sign ordinance. Mr. Hamilton said that the Old Pecan Street Organization goes on record as being for the amendment as it applies to East 6th Street.

MR. BOB RICHARDSON who had requested to appear under Citizen Communications to discuss the Sign Ordinance, did not appear.

HARVEST MOON CELEBRATION

MR. CHARLES T. ST. GEORGE appeared before Council to request permission to extend the Harvest Moon Celebration at Fiesta Gardens from the normal permit hour of 10:00 p.m. to 12:00 midnight., sponsored by the Texas Cowboys.

There was discussion among the Councilmembers concerning this. Mr. Ehrler, Director of Parks and Recreation, said the residents of the area are not in favor of having a late celebration on a week night and Mr. Ehrler asked Council to honor the citizen's request.

Motion

Councilmember Mullen moved that the Council approve the extension of the Texas Cowboys Harvest Moon Celebration at Fiesta Gardens from the normal hour of 10.00 p.m. for amplified sound, to 11:00 p.m.; after 11:00 the music is to move inside and speakers must face toward the lake. The motion, seconded by Mayor McClellan, carried by the following vote:

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

PI BETA PHI SORORITY PICNIC AUCTION

The Council, on Councilmember Himmelblau's motion, Councilmember Mullen's second, voted by unanimous consent to approve the request of Ms. Shelley H. Sharp, representing Pi Beta Phi Sorority, for permission to sell beer at Pease Park, Friday, October 25, 1980 from 5:00 p.m. until 7:00 p.m. during Pi Beta Phi Sorority Picnic Auction.

PERMISSION TO USE BOAT

The Council, on Councilmember Trevino's motion, Councilmember Goodman's second, approved by unanimous consent the request of Mr. Joseph Beal, representing Espey, Huston and Associates, Inc. for permission to use a 9.9 horse power outboard motor to take a sediment sampling from Town Lake.

6TH YEAR C.D.B.G. FUNDS

Councilmember Snell introduced an item to Council to discuss and receive a status report on the 6th year C.D.B.G. Funds. This was in connection with a resolution Council had before it to consider extension of 1979-80 contracts for administrative service with the Austin Area Urban League and the Austin Redevelopment Authority for a period of time not to go beyond December 31, 1980.

Councilmember Snell stated, "My concern is that someone came to me and wanted to know about funds for rehabilitation. They had received a letter that there were no funds. Are there at the present time funds for rehabilitation? Or, how soon will there be funds for rehabilitation?"

MR. CARLOS HERRERA, Director of Human Resources, stated, "You have some conditions on your 6th year grant which includes utilization of the program money, including rehabilitation funds on any level. The initial conditions that were imposed in that grant precluded use of any funds out of the 6th year grant. This would have meant complete shut-downs of the program until those conditions were satisfied. In discussing this with HUD area office in San Antonio, we were able to return with a compromise which would then permit us to free up some of the administrative funds out of the 6th year in order to be able to continue some of the commitments that have been made out of the 5th year fund for housing rehabilitation. What you are faced with right now is no funds for the program area with the exception of administration funds to be able to continue the program with the 6th year administrative funds. The final part of your question addressed when the time table that we may be faced with. The most outstanding condition that we have on that particular grant is the reconciliation with some financial data that the HUD office took some exception with. We obviously disagree with some of the statements and comments that have been made by that office, but in trying to work with them we are trying to prepare an update of that information in order to be able to reconcile to their satisfaction that the City of Austin has in fact an adequate financial system to address their need. We propose all of the entries, either adjustments or original entries, have been made into the system. We will be receiving our print-out. HUD accepts as the official City document the official print-out from the computer system that the City now has. Upon receipt of that print-out we will present it to HUD and we hope no later than the end of this month. Hopefully sooner. We then hope to be able to return, having satisfied their perceived need for having our records. The

The reason we took exception to that is that in our opinion our department had adequate records that were not necessarily computerized. We have to enter that into the Finance Department computer. We don't see any reason why a logical person could not have assumed that those were adequate records. The results we will receive later is only the recapitulation of the same data back, only computerized."

Councilmember Snell stated, "There were some projects that were in the process of being rehabilitated. Is there any fund for continuing this during the interim?" Mr. Herrera answered that those projects that were identified to the City as encumbered out of the 5th year fund, and were picked up and recorded, they should be. If it was not recorded it becomes deobligated as of September 30, midnight. Councilmember Snell asked what is creating the difficulties. Mr. Herrera said there are several reasons for it. One of the main reasons is that "you have a five year program that neither HUD nor the city has reconciled yearly. Consequently you have a build up and an accumulative of bits and pieces of problems that they perceive as problems now. Originally the HUD program was more or less a Block Grant in concept where the City was obligated within the reasons of and the parameters of the Block Grant concept to do what it felt like doing. Because of more recent actions requiring a lot more accountability there is a lot more oversight by the HUD area office, consequently what you are faced with is having to go back and rejustify a lot of programs that are now 4, 3, 2 and 1 years old, and that's going to take some time."

Councilmember Himmelblau asked about the cash flow and asked if this is strictly for administrative services. Mr. Herrera said yes and it will be HUD money, not City money. (Councilmember Himmelblau was referring to the resolution before Council.) Mr. Herrera said, "We always ask for the reimbursement once we identify the amount of expense that has been incurred. There always has been and will continue to be some flow. We have minimized that down to a little more than a week. We do have the clearance now from HUD to receive the administrative fund, but only to that extent." Councilmember Himmelblau asked if there is any way we can compensate and not have the one week float. Mr. Herrera said he would have to have time to get an answer and at this time cannot see any way to do this because they do not advance funds. We are reimbursed on the expense recorded.

Councilmember Snell asked about emergency repair money. Mr. Herrera said that is expended at this point for the 5th year. In the 6th year program, if you recall, the 6th year program was attached to the Austin area Urban League. It would be a new program for them and charged over to the Authority. Councilmember Snell asked about the relocation money. Mr. Herrera said that is with the Austin Redevelopment Authority.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution to extend the 1979-80 contracts for administrative service with the Austin Area Urban League and the Austin Redevelopment Authority for a period of time not to go beyond December 31, 1980. The motion, seconded by Councilmember Snell, carried by the following vote:

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

NO ACTION ON WATER MAIN

Council took no action on the resolution under consideration to authorize the following oversize water main:

BILL MILBURN, INC.

- Construction of a 36-inch water main within Maple Run, Section 2 - \$254,000. (City cost participation will be \$187,650)

GEOLOGICAL DATA

Councilmember Cooke moved that the Council adopt a resolution to authorize participation in the verification of Geological Data on Valero Lignite Leases. (Total cost: \$35,000; Austin's share: \$6,300) CAPITAL IMPROVEMENTS PROGRAM No. 81/12-02. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

NO ACTION ON AGENDA ITEM

The Council took no action on a resolution which would establish a policy to prohibit under Citizens Communications, the discussion of issues for which opportunity for public input has been provided.

CABLE T.V. WORK SESSION SET

Motion

Councilmember Goodman moved that the Council set a work session on the Cable Television Report for October 29, 1980 at 5:00 p.m. The motion was seconded by Councilmember Cooke.

Substitute Motion

Councilmember Himmelblau moved that the Council adopt a resolution to set a work session on the Cable Television Report for October 29, 1980 at 4:00 p.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

WATER AND WASTEWATER HOUSE CONNECTIONS

Councilmember Himmelblau requested, in her item from Council, a report from staff on returning water and wastewater house connections to the private sector. Mr. Bulloch said he will prepare a report.

STATUS REPORT

Councilmember Cooke requested a status report by staff on the resolution to extend Loop 360 from U.S. 183 to 1325 north. He said he would like to know what reaction staff has had with the Highway Department and know exactly where we are.

Dr. Benson, Director of Urban Transportation, said, "Subsequent to the adoption of the resolution we have sent letters to Mr. Bob Honts requesting that the Policy Advisory Committee consider the adoption of the route as a part of a long range transportation plan for Austin and Travis County. I have checked with Mr. Giezleman of the Austin Transportation Study and he has advised me the schedule for the next P.A.C. meeting. With regard to the Highway Department, the letter was also sent to Mr. Sam Waldrup, chairman of the State Highway Commission, requesting that the Commission adopt this route as a part of the state 20 year plan. In checking with Mr. Waldrup's office this week he indicated he could not find the correspondence so I provided him with an additional copy and it should be scheduled on a Commission Agenda in the near future."

October 16, 1980

Councilmember Cooke asked the staff to continue to give Council an update on what happens at ATS level and the Highway Department. He said he feels the Highway Department has not been too receptive and if so he wants to know about it. Mr. Davidson said that in addition to sending the resolution that "we should initiate some actions in addition to that and follow up with four or five alternatives as to how this might be extended." Councilmember Cooke asked him to formulate those and bring back for Council's consideration.

REVIEW OF MASSAGE PARLOR ORDINANCE

Mayor McClellan introduced an item to Council to request the City Manager and his staff to begin a review of the Ordinance regulating operation of massage parlors in Austin; and that a revised Ordinance be submitted to Council for consideration, contain appropriate amendments designated to overcome difficulties.

Mayor McClellan said this request comes because the Ordinance governing massage parlors has not been looked at since its passage, and also due to conversations she has had with some of the Police personnel expressing difficulty in enforcing the current massage parlor ordinance. She asked the City Manager to come back to Council with the report and with any suggestions for ordinance revision.

Councilmember Snell said he would like to know how the City Ordinance compares to the one the County just passed.

JUNETEENTH

Councilmember Snell discussed the idea of establishing Juneteenth as an optional holiday for the City of Austin. "We just listened to a group of people listen to the progress Austin is making and a progressive city like Austin not to have Juneteenth as a holiday, I don't think is very progressive so I would like to propose that Juneteenth be an optional holiday for Washington's birthday. We checked and the only Texas city that celebrates Washington's birthday is Fort Worth. Of the large cities we checked."

Motion

Councilmember Snell made a motion, seconded by Mayor Pro Tem Trevino to have a City holiday on Juneteenth rather than Washington's Birthday.

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Councilmember Mullen questioned when the other holidays are. Councilmember Goodman said he will vote for the motion because he would like to see a living holiday and he thinks the employees would enjoy a living holiday more than the one in February. Councilmember Mullen said he would like to vote on it for one year to see how it works and then look at it again and that he will vote for it on that basis.

Councilmember Cooke said he has trouble with adopting this holiday tonight as there has been no public discussion about it. Councilmember Mullen said there may be some problems on personnel and some problems they don't even know about and thought this should be brought back for discussion at a later meeting, perhaps in two weeks. Councilmember Himmelblau said she thinks it should be a night public hearing. Councilmember Goodman suggested this item be put on next week's agenda for setting a public hearing.

Motion Withdrawn

Councilmember Snell withdrew his motion and Councilmember Trevino withdrew his second.

Motion

Councilmember Snell made a motion, seconded by Councilmember Mullen and voted on by acclamation to place this item on next week's agenda to set a public hearing.

EXECUTIVE SESSION

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

RECESS

Council recessed its meeting at 11:30 p.m. and resumed its recessed meeting at 11:35 p.m.

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ANNOUNCEMENT

Mayor McClellan announced there will be a resolution on next week's agenda concerning the salaries of the City Clerk, Clerk of Court and judges.

ADJOURNMENT

Council adjourned its meeting at 11:40 p.m.

APPROVED

Carole K. McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 16th day of October, 1980, at 5:30 P.M. Thursday, in the Council Chambers at 301 West Second Street, Austin, Texas, for the following purpose:

Publicly announce that during the meeting the 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.

ATTEST:

Grace Monroe
City Clerk

Carol Keeton Wells
Mayor
City of Austin, Texas

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and the place therein named, and for the purpose therein stated.

John Trevino, Jr.
Betty Ann Melton
Richard Goodman
Jimmy Sull
Tommy Green
Lee Cooke

ATTEST:

Grace Monroe
City Clerk

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Council Meeting

October 16, 1980
5:30 p.m.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding;

Roll Call:

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

Absent: None

Mayor McClellan opened the meeting scheduled for 5:30 p.m., stating that this was a Special Called Meeting of the City Council for the purpose of publicly announcing that it 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 would be made in open session, should such action, decision or vote be necessary.

Mayor McClellan announced that the Council would go into executive session at this time to consider the items authorized in Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated.

APPROVED


Mayor

ATTEST:


City Clerk