

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 30, 1980  
9:00 A.M.

Council Chambers  
301 West Second Street

---

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: None

The Invocation was given by Reverend Wayne G. Smith, Faith United Methodist Church.

TEXAS NURSE WEEK

Texas Nurse Week will be observed the week of November 9-15, 1980, according to a Proclamation read by Mayor McClellan and accepted with thanks and appreciation by Ms. Lucy Boyea, president of District 5 of the Texas Nurse Association. Shirley Uzzell, member of District 5, Texas Nurses Association; Cathy Berry, member of the Public Relations Committee; Mary Troyer, Public Relations Committee Chairperson; and Betty Skaggs, State Officer in the Texas Nurses Association were in the Council Chamber with Ms. Boyea.

### HUSTON-TILLOTSON COLLEGE CHARTER DAY

Councilmember Snell read a proclamation designating October 31, 1980 as Huston-Tillotson College Charter Day. Margaret McCracken, vice-president of Student Affairs, Huston-Tillotson and Dan Carter, planning assistant to the President of Huston-Tillotson, were present in the Council Chamber to receive the proclamation with their thanks and appreciation.

### DIA DE LOS DIFUNTOS

Dia De Los Difuntos will be observed November 2, 1980, according to a proclamation read by Mayor Pro Tem Trevino and accepted with thanks and appreciation by Juanita Tijerina.

### UNICEF DAY

Ms. Margret Hofmann received a proclamation designating October 31, 1980 as UNICEF Day, which was read by the Mayor. She thanked the Mayor and Councilmembers for the Proclamation.

### DISTINGUISHED SERVICE AWARD

A Distinguished Service Award was presented to Mr. John McPhaul for his accomplishment in directing the building of the Center for Battered Women. He conceived the idea of the building a year ago and with the help of the building industry in Austin, the Center is now complete. Mrs. McPhaul was present in the Council Chamber to see her husband receive the award, as well as other members of the building trade, Giles Jackson, Ken Zimmerman and Dick Beal. Mayor McClellan presented the award to Mr. McPhaul on behalf of the Council and Mr. McPhaul thanked the Council for the award. He also thanked the Department Heads of the City who responded so rapidly when their services were needed during the year, and during construction. Mr. McPhaul also thanked fellows members of the Homebuilders Association for their help.

### MINUTES APPROVED

Councilmember Himmelblau made a motion, seconded by Councilmember Cooke to approve the Minutes for October 9, 1980; October 16, 1980, October 23, 1980 and Special Meeting of September 17, 1980. Motion received unanimous approval.

The Council, on Councilmember Himmelblau's motion, Mayor Pro Tem Trevino's second, approved the minutes of the Special Meeting October 8, 1980. (Unanimous approval.)

## BOARDS AND COMMISSIONS

Mayor McClellan announced the following board and commission appointments are due to be made on November 6, 1980:

On-Going Goals Assembly Committee, 4  
Community Development Commission, 2  
Vending Commission, 1  
Dental Health Advisory Committee, 2  
Human Relations Commission, 7  
Manpower Advisory Planning Council, 5  
Building Standards Commission, 1  
Austin Community Education Consortium, 3  
EMS Quality Assurance Team, 1  
PARD, 1

## EMINENT DOMAIN PROCEEDINGS

Councilmember Goodman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for the Springdale Road Sidewalk and Public Utility Easement Project - CDD #9.

450 square feet of land out of Lot 1, G.C. Prock Subdivision.  
(Marcelino Vasquez, et al, owner)

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

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

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing the acquisition, through negotiated purchase or eminent domain, easements for the South Texas Project Transmission Line. The motion, seconded by Mayor McClellan, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

2.0' of a 43.0' Drainage Easement and 2.0' of a 5.0' Public Utility Easement on Lot 22, Block L, Yarrabee Bend Section IV, 7409 Onion Creek Drive. (Requested by Mr. Bill McCleskey representing Haskell Griffin and Associates)

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

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

Noes: None

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

1.0' of a 5.0' Public Utility Easement located on Lot 29, Block L, Yarrabee Bend Section IV, 7313 Onion Creek Drive. (Requested by Mr. Bill McCleskey, representing Haskell Griffin and Associates)

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

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

Noes: None

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

2.0' of a 5.0' Public Utility Easement located on Lot 33, Block L, Yarrabee Bend Section IV, 7305 Onion Creek Drive. (Requested by Mr. Bill McCleskey, representing Haskell Griffin and Associates)

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

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

Noes: None

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

2.0' of a 45.0' Drainage Easement on Lot 35, Block L, Yarrabee Bend Section IV, 7301 Onion Creek Drive. (Requested by Mr. Bill McCleskey, representing Haskell Griffin and Associates)

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

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

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

2.5' of a 7.5' Public Utility Easement located on Lot 25, Block 3, Trailwood Village I at Travis Country, 4611 Trail Crest Circle. (Requested by Mr. Keith Brown, owner)

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

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

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a 15.0' Public Utility Easement in Lots 7 and 10, Northgate Terrace Section I. (Requested by John Meinrath, representing Mr. William J. Scudder)

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

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

-----

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

Two 7.5' Public Utility Easements located in Block I, Milwood Section 5. (Requested by Bryant-Curington, Inc. representing the Bill Milburn Company)

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

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

#### CHANGE ORDER

Councilmember Goodman moved that the Council adopt a resolution approving a Change Order in the amount of \$3,289.67 to M.B. Justice Company for Blackshear Phase II, HCD, Gregory Street Extension. C.I.P. No. 79/62-05. The motion, seconded by Mayor McClellan, carried by the following vote:

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

#### WATER AND WASTEWATER APPROACH MAINS

Councilmember Goodman moved that the Council adopt a resolution approving the following water and wastewater approach mains:

BILL MILBURN, INC.

- For Construction of a 16-inch water approach main and a 21-inch wastewater approach main in Milwood, Section 8. The estimated cost participation by the City for the water main if annexed in one year is \$61,387.50 or \$46,040.63 under the outside the City policy. The estimated cost participation by the City for wastewater main is \$205,293.60 which includes 6% engineering cost if annexed within one year.

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

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

## CONTRACTS APPROVED

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

CLE-TEX MATERIALS, INC.  
Low Water Bridge Road  
Cleveland, Texas

- Gravel (3/16" - 3/8") to be used in  
Water Treatment Process, Water and  
Wastewater Utility Department  
Twelve (12) Month Supply Agreement  
Item 1 - \$7,560.00

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

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

Noes: None

-----

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

CLE-TEX MATERIALS, INC.  
Low Water Bridge Road  
Cleveland, Texas

- Gravel (3/8" - 5/8") to be used in  
Water Treatment Process, Water and  
Wastewater Utility Department  
Twelve (12) Month Supply Agreement  
Item 1 - \$7,560.00

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

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

Noes: None

-----

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

CENTEX PAVING COMPANY  
1660 Hwy. 183 South  
Buda, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Rescind previous award of contract to GNG PAVING CO. in the amount of \$7,950.00 and award to second lowest bidder (CENTEX) in the amount of \$13,250.00 for Asphaltic Concrete Golf Cart Paths at Lion's Municipal Golf Course, Phase III. C.I.P. No. 75/89-12

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

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

-----

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

AUSTIN AUTO GLASS COMPANY  
701 East 5th Street  
Austin, Texas

- Safety Glass and Installation, Vehicle and Equipment Services Department  
Twelve (12) Month Supply Agreement  
Item 1-38 - \$6,145.10

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

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

-----



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

MACHINERY AND PARTS CORPORATION 20000 I-35 Buda, Texas	- Earth Moving Equipment Repair Parts, Vehicle and Equipment Services Department. Items 1-10 - \$6,883.30
--	--

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

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

-----

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

GENERAL ELECTRIC COMPANY 7100 Regency Square Houston, Texas	- Cross Heads and Valve Stem for Holly Unit #4 Turbine, Electric Utility Department Items 1 & 2 - \$13,549.00
---	--

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

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

-----

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

DEXTER INSTRUMENT CO., INC. P.O. Box 29185 San Antonio, Texas	- 7P/H Microscope to be used by Surgery Department of Brackenridge Hospital - \$36,552.53
---	---

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

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

### GRANT APPLICATION

Councilmember Goodman moved that the Council adopt a resolution authorizing submission of a grant application to the Department of Health and Human Services for \$110,000 in federal funds for the eleventh year of Family Planning Program (March 1, 1981 to February 28, 1982). The motion, seconded by Mayor McClellan, carried by the following vote:

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

### SCHEDULE MODIFICATIONS PARK AND RIDE

Councilmember Goodman moved that the Council adopt a resolution approving scheduled modifications to the U.S. 183 North Park-and-Ride Service. The motion, seconded by Mayor McClellan, carried by the following vote:

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

### CONTRACT FOR HIGHWAY PLANNING FUNDS

Councilmember Goodman moved that the Council adopt a resolution authorizing a contract between the City of Austin and the Austin Transportation Study Policy Advisory Committee which provides for disbursement of Federal Highway Administration Section 112 Planning Funds. The motion, seconded by Mayor McClellan, carried by the following vote:

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

### CERTIFIED STATEMENT

Councilmember Goodman moved that the Council adopt a resolution submitting a Certified Statement of the Austin Transit System Capital and operating Expenditures to the State Department of Highways and Public Transportation. The motion, seconded by Mayor McClellan, carried by the following vote:

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

### FUTURE ENERGY DEVELOPMENT

Councilmember Goodman moved that the Council adopt a resolution designating funds in CIP Project No. 77/12-01, "Future Energy Development" (\$100,000) for studies and activities related to Alternative Energy Sources. The motion, seconded by Mayor McClellan, carried by the following vote:

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

### PUBLIC HEARINGS SET

Councilmember Goodman moved that the Council set a public hearing for November 20, 1980 at 6:00 p.m., to study recommendations for the Rainey Street Neighborhood Area. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing on the following:

Development standards for the Williamson Creek Watershed  
Hearing: November 13 at 8:00 p.m.  
Action: November 20

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

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

-----

Councilmember Goodman moved that the Council set a public hearing for December 4, 1980 at 2:30 p.m., to amend Section 3-5 of the Sign Ordinance relating to legal responsibility for the posting of unauthorized handbills, signs, posters, etc., and the littering of such signs. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing for December 4, 1980 at 3:00 p.m. to amend Section 45-10 (5) of the Austin City Code (Zoning Ordinance) relating to transitional uses. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council adopt a resolution to set a public hearing for November 20, 1980 at 9:00 p.m., to consider annexing the following:

476 acre tract of land (198.26 acres requested by owner and known as Abbott Laboratory Planned Development Area and 2.77.74 acres initiated by the City) C7a-80-002.

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

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

-----

Councilmember Goodman moved that the Council adopt a resolution to set a public hearing for November 20, 1980 at 9:00 p.m., to consider annexing the following:

32 acre tract of land (29.21 acres requested by owner and known as Maple Run, Section 2 and 2.79 acres initiated by the City). C7a-80-009

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

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

-----

Councilmember Goodman moved that the Council set a public hearing for December 4, 1980 at 3:15 p.m., on an appeal from Ms. Diana Ruth Presley on Case No. C14p-80-063, denying Special Permit for beer and wine consumption at Sonny Recreation Center, 1112 East 11th Street. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing for November 13, 1980 at 6:30 p.m., on an appeal from Mr. Stanley Parrotte, President of Mesa Park Civic Association, of the Planning Commission's decision for a Special Permit, Case No. C14p-80-069. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing for November 13, 1980 at 7:00 p.m., on an appeal from Mr. Mike Blanchard, of the Building Standards Commission's decision permitting the relocation of a structure from 9403 Dessau Road to 3002 Breeze Terrace. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing for December 11, 1980 at 3:15 p.m., on the Planning Commission's recommendations concerning the Lake Austin Peninsula. The motion, seconded by Mayor McClellan, carried by the following vote:

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

-----

Councilmember Goodman moved that the Council set a public hearing for November 13, 1980 at 7:30 p.m., on an appeal from Ms. Mary L. Collins, of the Building Standards Commission's decision permitting the relocation of a structure from out of the city to 980 Olive Street. The motion, seconded by Mayor McClellan, carried by the following vote:

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

## PAVING ASSESSMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS; SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS, THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 4:00 O'CLOCK P.M. ON THE 11TH DAY OF DECEMBER, 19 80, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (C.I.P. No. 76/62-16)

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

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

The Mayor announced that the ordinance had been finally passed.

SIGN ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NUMBER 800828-J OF THE SIGN ORDINANCE BY AMENDING PART 2 OF SAID ORDINANCE; CLARIFYING THE FEE SCHEDULE BY REMOVING THE SQUARE FOOTAGE REQUIREMENTS AND REPLACING THEM WITH THE WORDS "\$0.15 SQUARE FOOT, WITH A MINIMUM OF \$10.00 AND A MAXIMUM OF \$50.00"; SUSPENDING THE READING OF ORDINANCES OF THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-81 BY APPROPRIATING FROM VARIOUS ENDING FUND BALANCES CERTAIN SUMS OF MONEY FOR VARIOUS CITY DEPARTMENTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.



General Fund

Public Works	\$ 40,000
Purchases and Stores	66,500
Research and Budget	67,200
Total	\$ 173,700

Utility Fund

Water and Wastewater	\$ 109,576
----------------------	------------

Aviation Fund

Aviation	\$ 57,321
----------	-----------

Working Capital Fund

Public Information	\$ 2,310
--------------------	----------

Councilmember Himmelblau asked, "Will these budget amendments have any effect on the ending balance as adopted by the Council?" Mrs. Lee Thomson, Director of Research and Budget, stated, "When the ending balance was estimated in September, these expenses were included in estimated department expenses. When it was determined they were not able to be expensed in September then in effect the ending balance grew by this amount so we were asking to reappropriate so the bottom line it will not have an effect on the ending balance."

## INSTRUCTIONAL TV COURSES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1980-1981 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING \$21,000.00 FROM THE AUSTIN COMMUNITY COLLEGE FOR THE PURPOSE OF PROVIDING THREE INSTRUCTIONAL TELEVISION COURSES IN THREE BRANCH LIBRARIES; APPROVING AN AGREEMENT WITH THE AUSTIN COMMUNITY COLLEGE FOR SUCH PURPOSE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Councilmember Himmelblau stated, "I'd like it read into the Minutes that the City will not incur any costs, including personnel costs, because this was my understanding with this." Mayor McClellan said this will be an advantage to us because when the clerks are not doing the courses they will be doing other library work for the City.

#### 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:

TRACT 1: A 0.92 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.46 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, AND,

TRACT 3: A 0.04 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 6608 SOUTH CONGRESS AVENUE, ALL OF 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. (Richard Frazier, C14-78-211)

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

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

Noes: None

Abstain: Councilmember Goodman

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 1.58 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE 2200 BLOCK OF PERSHING DRIVE, NORTHEAST CORNER OF GREENWOOD DRIVE AND PERSHING DRIVE, 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. (Texas Engineering Foundation, C14-80-032)

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

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

Noes: None

Abstain: Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

#### AUDITORIUM-COLISEUM FACILITIES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790517-B BY ACCEPTING AUDITORIUM-COLISEUM LESSEES FROM CERTAIN PER DAY EQUIPMENT CHARGES FOR TABLES AND CHAIRS ON MOVE-IN DAYS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

## LAKE AUSTIN PENINSULA MORATORIUM EXTENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800605-C (THE LAKE AUSTIN PENINSULA SUB-DIVISION ORDINANCE); EXTENDING THE MORATORIUM TO DECEMBER 12, 1980; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

## ORDINANCES PULLED FROM AGENDA

Councilmember Mullen moved that the Council pull the following zoning case off the Agenda for consideration:

JOHN MCELROY, ET AL	12164-12758 U.S. 183 and	From Interim "AA" Residence
C14-79-018	12153-12283 Jollyville	1st Height and Area
	Road	to "O" Office
		1st Height and Area

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

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

-----

Councilmember Mullen moved that the Council pull from the Agenda consideration of amending Chapters 41 and 45 of the Austin City Code relating to fee increases for subdivision and zoning applications. (Public hearing held and closed on October 16, 1980) The motion, seconded by Mayor McClellan carried by the following vote:

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

Councilmember Mullen commented that "staff told us what they thought we needed in the amount of money to justify increases in subdivision and zoning applications. It's taken quite a bit of time to get that information back and I certainly want to be sure that they are not trying to justify the figures we got but that they are actually coming up with a formula that's realistic." Mr. Daron Butler, Assistant City Manager, said, "I think I have to bear the brunt of that responsibility. Some of that material is on my desk and I'm trying to put all three of your requests together and I still have two components to put in the package and simply my inability to get the assignment completed is what has delayed it. There is no intent to create numbers. We can justify exactly what we requested. ....The methodology we use, I presented to you before, was the exact opposite approach you asked us to take and now we're going back and tracking the two so you can see both of those. We're just trying to present a complete report as you requested."

#### WATER AND WASTEWATER HOUSE CONNECTIONS STUDY

Mr. Bill Bulloch, Director of Water and Wastewater, presented the City Manager's Report on Water and Wastewater House Connections Study as follows:

"As requested by Councilmember Betty Himmelblau at the October 16, 1980 City Council Meeting, attached you will find the above referenced study. The recommendation detailed in the study, if approved by the City Council, will accomplish the following:

1. Return the vast majority of the house connections process to the private sector; the City will control the selling of the water meter only.
2. Facilitate both public and private productivity and efficiency increases in the building process.
3. Over a three (3) year period, reduce the Water and Wastewater Department connections work force by up to 30 positions through normal attrition and filling vacant positions in other divisions. No lay-offs will occur due to this policy decision.
4. Reduce the fee schedule for water and wastewater connections as detailed in the attached schedule to records, inspections and processing costs only, with a shift to private sector for construction installation costs.
5. Place the scheduling of the connections in the hands of the private sector so that they control the scheduling of these installations.

In practice these new processes should result in real savings for the purchaser of new homes and commercial structures."

Mr. Bulloch then showed slides of various wastewater construction procedures.

In reply to Councilmember Himmelblau's inquiry if this had been reviewed by the home builders, Mr. Ken Zimmerman, representing the home builders, stated it was now in the hands of the Committee. He commended the staff. Mr. Bulloch stated they would work with them and come back in 2 weeks. Mr. Daron Butler said they would send this to the Subdivision Committee.

#### UPDATE ON CONGRESS AVENUE IMPROVEMENTS

Mr. John German, Director of Public Works, presented Mr. Ken Tunks, member of the consulting architectural firm of S.A. Garza. Mr. Tunks presented a report on Update on Congress Avenue Improvements. He referred to strip maps hung on the walls of the Council Chamber and said a landscaped area is planned from Third to Tenth Street with trees planted every 30' and low level landscaping at the corners. The existing sidewalk will be replaced and decorative light standards will be placed between the trees. Angle parking is planned and bus stop areas for bus riders.

Mayor McClellan asked how many parking spaces there are now on Congress Avenue. Mr. Benson said he would supply that information in a few minutes.

Mr. Tunks continued by stating there will be an automatic watering system with new electric conduits, new high pressure gas mains and several storm detention sewers. The double curb will be eliminated and a 6" curb will be constructed. There will be improved access for mobility impaired. He said all plans and specifications are available for study.

Al Simmons, member of the Garza firm, presented a slide show of the way Congress Avenue will look if the improvements are completed as planned.

David Graeber, also an architect with S.A. Garza, stated that Congress Avenue is bleak in its present state. He said the opportunity is here now to show the Capitol, from Congress Avenue, at its best.

John German returned to the podium to state bids will be advertised three Sundays, will be received November 18 and awarded December 4. Construction is scheduled to begin in the middle of January. The estimated cost of the project will be \$2.4-million including the landscaping and water and wastewater renovations. He said there is \$1.636-million in Public Works CIP for street and drainage; \$214,000 in Parks CIP for landscaping and irrigation; \$70,000 in Water and Wastewater for utility relocation for Public Works projects; and \$180,000 in the Electric Department available for sidewalk lighting. He said the \$287,000 needed for pedestrian way lighting and illuminaries is not yet available.

Councilmember Himmelblau said she has trouble with the schedule of bids and construction as outlined because of the petition which is being circulated and she thinks it should be checked first.

Mayor McClellan said that no one disagrees that Congress Avenue needs to be beautified. The big disagreement in how it is done comes in the number of lanes and the parking design. She asked again how many parking spaces there are currently and how many will be available with the proposed plan. Dr. Benson, Director of Urban Transportation, said there are now 17.1 per block and 10.2 in the proposal. There are a total of 240 spaces available at any one time now, with 143 proposed. If the fire hydrants are moved, there will be 150 spaces. Mayor McClellan asked about left hand turns and buses. Dr. Benson said that left hand turns may ultimately be prohibited around 5th and 6th streets and eventually they may all be eliminated. Buses will be reduced to 3 or 4 routes on Congress Avenue....they will be the ones that use the Congress Avenue Bridge.

Councilmember Snell asked about the proposed bus schedule changes and a representative of the Austin Transit Authority explained them to him.

Councilmember Himmelblau asked Mr. Harris to comment on the financial liability we could incur if we go to contract. Mr. Harris replied, "It was referenced in my memo that if we are going to let a contract on this project, if the City of Austin voluntarily, after the contract is entered into, said we are not going through with this contract, there may be some legal responsibilities. On the other hand, if the City enters the contract in good faith and is willing to proceed but the contract does not proceed for some other reason, no fault of the parties, there probably will not be any financial liability. If you want to enter into this contract and then hold up on it after you have entered into it, it would either be best to cover that circumstance in the contract so the parties would know, or not enter into the contract at all unless you intended, to the best of your ability, to proceed with the contract."

Councilmember Cooke said he feels very definitely we should proceed. "This has been seven years in the making and this is an excellent long range project for the economic vitality of Congress Avenue. I have seen what has happened in other cities in this country that could easily happen to Congress Avenue if we leave it like it is or we make the minor modifications. And being in the manufacturing-engineering business that I am professionally, when you build or design a demonstration project a lot of times there are problems with it and there are problems with the demonstration project at 10th and 11th, including drainage, including the sidewalks being in disrepair and including a lot of things that are not addressed in this particular project. The drainage we put in for \$1.1-million was designated in accordance

with this plan so this would complement it and even those people who are the most severe critics of cities, especially how a city runs, can't have anything but compliments to pay on the work the contractor did in not disrupting traffic and the process on Congress Avenue when we did the project that was being done last year and part of it was done during the busy Christmas season too. This is a destination in our community. It is not a through, long-range street. It is not IH 35 or Lamar. People come here for a destination. One of the comments made today is that we are going to lose seven parking spaces. There are over 2600 planned or under construction private parking spaces in our city right now up and down the Avenue one to two blocks off. Many, of course, are for private sector parking but that will alleviate parking on the streets to some extent. I think we are an ostrich if we do not consider the fact that cars will get smaller and that more and more people are going to have to use mass transportation. If we design all parking spaces for the 1960 Cadillac then we in fact probably will lose seven spaces per block. But our Urban Transportation Commission is probably already looking at alternatives because we are going to be driving smaller cars and we may not need the space we needed in the past and I think this plan is a long range plan that will deserve the heritage of Congress Avenue, it will be a vista, I commend the work that is being done because I really feel that we want a Congress Avenue that is uniquely Austin and this is it and anything less than this I feel is a cop out and I also would like to point out that this particular plan, I feel will retain the integrity and historic value of Congress. ....The key businesses on Congress have been begging for years for us to do something like this in order to create this type of vitality. Years from now I think the citizens of Austin will look back at this time and say we made a great step forward to retain the historic and the great avenue effect that will be created and we didn't let the street deteriorate. If we don't take a stand, and maybe not a popular stand today, more investors are going to come in and build more high rise buildings."

Councilmember Goodman was in concurrence with Councilmember Cooke and said Congress Avenue can be a truly magnificent improvement to our City.

Mayor McClellan concluded the presentation by again saying the beautification of Congress Avenue will be a great asset to our city but the number of lanes and parking spaces should not be reduced.

#### PUBLIC HEARING ON PERMIT DENIAL

Mayor McClellan opened the public hearing, scheduled for 9:45 a.m. on an appeal from Mr. Wesley Dahl, of the Building Standards Commission's denial of permit to relocate structure from 2203 West 35th to 8814 Laverty Place.



Mr. Lonnie Davis, Director of Building Inspection, said the structure Mr. Dahl wants to move is presently located on the State School grounds on West 35th. He wants to move the structure and add it to a house presently existing at 8814 Laverty Street to make a duplex. This was heard before the Building Standards Commission on September 24 and denied. The residents of Georgian Acres object to putting the structure in the 100 year flood plain, among other reasons. He then showed a series of slides of the area. Councilmember Snell asked if this will be compatible with the area. Mr. Davis said the question of compatibility was not raised.

Larry Dowling, representing Mr. Dahl, discussed the 4'-5' pier beam required in this area because of the flood plain and said Mr. Dowling is willing to do this. The structure will go on a 3/4 acre lot and Building Standards Commission said it can be made compatible. The neighborhood association does not want a duplex but there are already several in the area. He pointed out that the neighbors, for several years, have been feuding with Mr. Dowling over the use of his property.

Councilmember Snell asked about violations of zoning in the past which have been brought against Mr. Dahl. Mr. Dowling said he hopes Council does not deny this permit because of violations in Mr. Dahl's past.

Tom Cooke spoke against the structure being located in Georgian Hills. He said they have had many problems with Mr. Dahl in the past and are afraid they will have more in the future. He asked Council to deny the move on permit.

Homer Johnson, who lives in the neighborhood, said he does not oppose the move on, but with all of the problems they have incurred in the past with Mr. Dahl, he is afraid they will have many more in the future. He asked Council to deny the permit.

Mr. Matau appeared before Council and said he had had a car on his property and had been reported but it has been towed away for repair.

Mr. Matau told Council that the whole neighborhood has been working hard to clean up their neighborhood but Mr. Dahl runs a business out of his home and has had zoning violations in the past. She asked Council to help them with their neighborhood.

Lesley Dahl appeared and said he is being constantly harrassed by the neighbors.

Councilmember Himmelblau asked about the trucks being used in the area. She said there were pictures of them on the slides. Mr. Davis said he concurs with a lot of what has been said this morning. Mr. Dahl has been operating a business, illegally, from his home in violation. He suggested that perhaps prior to the move all violations can be corrected and the house moving operation discontinued.

Mr. Dahl asked Council to delay their decision one week so he can get together with Mr. Davis, and Mr. Dowling and see what legal conditions can be tied to this.

Motion

The Council, on Councilmember Goodman's motion, Mayor McClellan's second, voted by acclamation to continue the public hearing on an appeal from Mr. Wesley Dahl, of the Building Standards Commission's denial of permit to relocate structure from 2203 West 35th to 8814 Laverty Place, to November 13, 1980 at 6:00 p.m. (Councilmembers Snell, Mullen and Himmelblau were out of the room.)

ANNEXATION PUBLIC HEARING

Mayor McClellan opened the public hearing, scheduled for 10:00 a.m., to consider annexation of and directing the administration to institute annexation proceedings to annex the following:

22.86-acre tract of land requested by owner and known as Barrington Oaks, Section 7 and portion of Barrington Oaks, Section 11. (C7a-80-012)

Mr. Lillie said everything is in order. No one appeared to speak.

Motion

Councilmember Goodman made a motion, seconded by Mayor McClellan to close the public hearing and proceed with annexation.

Motion Withdrawn

Due to lack of a quorum, the motion was withdrawn by Councilmember Goodman and Mayor McClellan.

Later in the day:

Motion

Councilmember Cooke moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex: 22.86-acre tract of land requested by owner and known as Barrington Oaks, Section 7 and portion of Barrington Oaks, Section 11. (C7a-80-012) The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Abstain: Mayor Pro Tem Trevino

Absent: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Goodman

#### CITIZENS DID NOT APPEAR

Mr. Art Brown, who had requested to appear before Council to discuss a health hazard in northeast Austin, did not appear.

Mr. Ron Williams, president, MB Highway Enterprises, Inc., who had requested to present a proposal to perform downtown traffic lane experiment, did not appear. (Will appear on November 6, 1980)

Mr. Allen McCree, president, Austin Chapter American Institute of Architects, who had requested to speak on Congress Avenue Beautification Project, did not appear.

Mr. David Calvillo, representing Greater Southwest Optimist, who had requested permission for the use of Auditorium Shores on June 20, 1981, from 10:00 a.m. to 8:00 p.m. for the 2nd Annual Fajita Cook-Off and permission for the sale of beer during the event, did not appear. Something further in his request needs to be checked.

#### ACORN AS INTERVENOR

Ms. Ellen Hahn appeared before Council to request that Council vote to allow ACORN to intervene in Southern Union Gas Company's rate increase request. As ACORN's Legal Aid representative, she asked Council's approval of their ordinance.

Mr. Harris, City Attorney, stated, "What we concluded after looking at some of the legal material submitted by the Legal Aid Society and Southern Union Gas that this is really a matter that's up to the City Council to grant this party status to any of these applicants or not. The main argument seems to be that a party has a statutory right under the Public Utilities Regulatory Act to appeal the decision of the City Council which is made. ....If I were going to recommend something I suppose I would that if the Council wanted a similar group to have participation status that the Council, if they were going to grant that status to anyone that they grant it to ACORN as their representative of low and moderate income consumers and go on that basis."

Ms. Willo Hardin also appeared under Citizen Communications to ask that ACORN be granted the status of intervenor in the Southern Union Gas Company's rate increase request.

#### CONGRESS AVENUE

Mr. Michael Sidoric appeared before Council to present, by use of slides, an alternative perspective for Congress Avenue Improvements.

## RECESS

The Council recessed its meeting at 12:50 p.m. and resumed its recessed meeting at 3:45 p.m. Councilmember Mullen was absent the afternoon session.

## 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:

TRACT 1: A 36,640 SQUARE FOOT TRACT OF LAND, FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;  
TRACT 2: A 2.671 ACRE TRACT OF LAND, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;  
TRACT 3: A 0.056 ACRE TRACT OF LAND, TO REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 4: A 3.513 ACRE TRACT OF LAND, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;  
ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 2211 POST ROAD, 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. (L.L. McCandless and Ocie McCandless, C14-80-160)

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

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

The Mayor announced that the ordinance had been finally passed.

## PARADE PERMIT

Councilmember Trevino moved that the Council approve the request for a Parade Permit from Michael Rush for Maplewood Community School Advisory Council, from 10:00 a.m. to 11:00 a.m., Saturday, November 15, 1980, beginning on Brookview, across from Pharr Tennis Center to Wilshire Boulevard to Cherrywood, to East 40th, back to starting point. The motion, seconded by Mayor McClellan, carried by unanimous vote, Councilmember Mullen absent.

## EDWARDS AQUIFER TASK FORCE

Mr. David Bodeman, Edwards Aquifer Task Force, presented the Preliminary Report on Williamson Creek Watershed Development Standards as follows: "We've been working many hours and intend to continue working and will be meeting every afternoon from 1 to 5 or 6 and on weekends. We are taking a look at an approach that involves the use of basic management practices and land use practices and that involves an analysis of a predicted effectiveness of various management techniques for pollution control. Some of these management practices include construction sequencing, erosion and sedimentation control, overland flow and velocity attenuation. These various approaches may increase as the intensity of land use increases. We have addressed the goals, set backs, construction sequencing, erosion sedimentation, overland flow of velocity, use of swells and inspection monitoring. We still have to address land use intensities, street standards, wastewater collection, boundaries, application to specific land use intensities and a technical review board. These are the items we have not yet had an opportunity to address. We got in a situation where we spent three weeks educating ourselves because there did not appear to be a great legacy of documentation left to us in the Barton Creek situation. At the same time we do not feel that the information we were able to get from that was applicable to Williamson Creek. So we had to go out and do a national data search that took some time and there are a lot of trade offs in the data because some of it is contradictory and some does not apply to us. We had to do an extensive analyzation of all the data and making it site specific to the Williamson Creek situation. We think we are there now and are dealing with ranges of effectiveness and are in the process of negotiating on the various techniques we wish to use."

## WILLIAMSON CREEK WATERSHED MORATORIUM EXTENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 801002-L, PROVIDING FOR THE EXTENSION UNTIL DECEMBER 5, 1980, OF THE 30-DAY MORATORIUM ON THE PROCESSING OF SUB-DIVISION PLAT APPLICATIONS COVERING LAND LOCATED WITHIN THAT PORTION OF THE WILLIAMSON CREEK WATERSHED WHICH IS WITHIN THE EDWARDS AQUIFER RECHARGE OR THE EDWARDS AQUIFER CONTRIBUTING RECHARGE ZONE BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

## INTERIM DEVELOPMENT STANDARDS

Councilmember Himmelblau moved that the Council adopt a resolution approving the interim development standards and conditions for Parmer Lane from FM 1325 to McNeil Road. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Mullen

Prior to the motion, Councilmember Himmelblau asked how close this right of way will come to the existing homes that are out there. She said she does not want to get into another position like MoPac where the homes are too close to the road. Mr. German told her the "right of way for Parmer Lane will be abutting the rear of several residential lots in the Northwood Subdivision. I visited a number of people in the neighborhood and I think there are ways we can work with them to help resolve their concerns about buffering and the distance of the roads from the edge of the property line. ....It's in the arterial plan as an arterial. We are looking at it now to establish some interim development standards and establish some agreement on the right of way widths that are required and allow several subdivisions which abut Parmer Lane. Parmer Lane is included in their subdivisions..... let those subdivisions proceed until we can get some other answers to questions concerning Highway Department involvement, whether there will be a city street, built by us or the developer, etc."

Councilmember Himmelblau asked, "If this passes today will that land be posted so other people will know that they might be sitting with their backyard up to a major arterial?" Mr. German said they do not normally post them but if the Council wants them to they will. Mr. German continued by saying the right of way will be 200' which the property owners are willing to dedicate. He said they can take half of that and guarantee that sort of buffering between the edge of the road and the property lines. Councilmember Himmelblau said she has had some correspondence with someone out there wondering if it can be downgraded. She is not sure if it should be or not because she does not know what traffic is expected out there and on the other side of 1325 the road is already in place or will be built. Mr. German said that has been designated as a farm to market road. It will be four lanes, uncurbed and guttered. Councilmember Himmelblau said it would make sense to make Parmer Lane four lanes instead of six. Mr. German said the Highway Department is building a two lane road at this time and then they will look to see what is needed. Councilmember Himmelblau asked if this is passed today she wanted to know what the City is committed to. Mr. German answered, "We're basically committing to an interim development standard that's somewhat different than what would normally be required in a subdivision process and we will enter into an agreement with each one of the developers to be sure our long term interests are protected and that they don't have to do something now that will be torn up a year from now by the Highway Department. Councilmember Himmelblau said, but before we would go to the major arterial six lane curb and gutter, would that require a public hearing? Mr. German said it would for the Council to appropriate funds from CIP which would take a number of reviews. Councilmember Himmelblau thinks we are better off letting the Highway Department designate it farm to market. Mr. German said that this is the best approach at this time.

Jim Holcombe appeared before Council and discussed the alignment of the road. He lives in the neighborhood and wants to make sure the permanent alignment isn't misaligned because of the two lane road they are talking about now.

Councilmember Himmelblau asked staff to work with the neighborhood association out there and keep Council informed.

#### PUBLIC HEARING - REVISION TO ELECTRIC RATE ORDINANCE

Mayor McClellan opened the public hearing, scheduled for 4:00 p.m. on Revisions to Electric Rate Ordinance setting the criteria for the General Services Demand Classification at 30 KW of demand and 10,000 KWH of energy consumption.

Mr. R.L. Hancock, Director of Electric Utility, discussed the following:

"Mr. Merle Lang has requested that the City of Austin revise its rate schedules to require a customer to meet the criteria of 30 KW of demand and 10,000 KWH of energy consumption before the General Service Demand rate schedule is applied. Currently, the criteria is 30 KW of demand with no qualification by energy consumption to have the General Service Demand rate schedule applied.

Under Mr. Lang's criteria, a number of customers would be reclassified from the General Service Demand rate to the General Service Non-Demand rate, resulting in a drop in revenue recovered by the City.

The Electric Department has reviewed the data based on April, 1980 customer information and has determined that a reasonably accurate estimate of these values is 280 reclassified customers and \$315,000 drop in revenue. The Electric Department has reviewed these values with Mr. Lang and believes he is in agreement with these values as reasonable estimates. Because of changing customer characteristics, these numbers change some each month.

The rate forms and policies adopted in 1978 changed rate forms significantly and adopted a direct demand billing for moderate and large commercial customers. The application of demand billing rates is initiated where customers are billed directly for the peak demand they establish in the summer months. The demand selected to apply demand billing rates was 30 KW or more for 2 months in any 6 summer billing months. That criteria was again applied to the rate design in the rates applied in April, 1980.

The purpose of demand billing is to charge the customer on the basis of the peak capacity used to meet his needs (KW) and to charge the customer for the energy he uses (KW hours). The non-demand commercial rates are for small to moderate commercial customers and are billed on the basis of KWHs, not demand (KW).

The characteristics at Mr. Lang's place of business, the Laundry Room, are such that demand last year was just over 30 KW and the energy consumption was relatively low, resulting in a higher billing under the demand rate (for above 30 KW) than would have been experienced under the non-demand rate.

The application of demand rates to customers just meeting the current demand classification criteria results in a relatively high rate for those customers just over 30 KW compared to those customers just under 30 KW.

The Electric Department believes the recommendations by Mr. Lang is a way to alleviate the large difference in the rate structure between a customer having a 30 KW demand and a customer having a 29 KW demand. Mr. Lang's proposal will cause no customer to see an increase in his rate. Mr. Lang's proposal, however, should only be considered as an interim situation until a method of smoothing the cost difference between a demand rate and a non-demand rate has been determined.



Under Mr. Lang's proposal, a customer having a high demand (say over 30 KW) and a low energy usage (say under 10,000 KWH), and therefore a relatively low load factor would not receive any price signal to improve the load factor or lower the demand. The same logic for changed criteria used by Mr. Lang also applies to Mr. Lang's proposal. Customers using 19,000 KWH and a demand of 30, 40, or 50 KW and more would be subject to a higher incremental cost for energy than customers using 9,999 KWH and having demands above 30 KW.

To assess the potential impact of this occurring under Mr. Lang's proposal, the Electric Department has calculated the number of customers currently classified as demand (30 KW or more for 2 months in any 6 summer billing months) for various strata of KWH usage near the proposed 10,000 KWH criteria. This information is tabulated below:

<u>KWH</u>	<u># of Customers</u>
9,000 - 9,999	67
10,000 -10,999	74

Those customers near the 10,000 KWH level potentially are subject to a sharp change in their incremental cost of energy depending on their usage being above or below 10,000 KWH and their peak demand (30, 40, 60 KW. etc.)

The Electric Department is currently studying the problem of smoothing the cost differentiation between demand and non-demand rate applications at the 30 KW level. It is anticipated that an appropriate method can be developed and incorporated in the next major rate revision, but would require considerable rate design change.

Though not directly related to Mr. Lang's proposal, for your information Mr. Lang's demand through the first five summer billing months of 1980 exceeded 30 KW in one billing month. If Mr. Lang's demand does not exceed 30 KW in the one remaining summer billing month, he would be classified as a non-demand customer."

Mr. Merle Lang appeared and said he never contended that his proposed amendment will be cure-all, but that he is in agreement with Mr. Hancock in most instances. While the answer is being sought as to whether or not he should be required to pay more for his electricity, he urges Council to adopt his amendment just to get rid of him.

Ms. Shudde Fath said that Council should not adopt the rate change when the Electric Utility Commission said not to. She said the city will lose \$315,000 revenue and asked Council not to drop this amount on the residential ratepayers.

Mr. Lang reappeared to say he is not suggesting any loss to be put to anyone other than the general service class. He said he is just trying to bring customers like himself back into line.

Mayor Pro Tem Trevino said this will be brought back for action on November 20, 1980.

#### ENERGY RESOLUTION

Councilmember Cooke introduced an item to Council asking them to consider the adoption of a resolution encouraging the U.S. House of Representatives to pass Energy Management Legislation which would provide direct funding to the City of Austin and the County of Travis for Energy Conservation.

#### Motion

Councilmember Cooke moved that the Council adopt a resolution encouraging the U.S. House of Representatives to pass Energy Legislation which would provide direct funding to the City of Austin and the County of Travis for Energy Conservation; resolution to be sent to appropriate Senators and Congressmen in Washington, D.C. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Goodman

#### CONTRACT APPROVED

FECHHEIMER BROTHERS COMPANY  
4545 Malsbury Road  
Cincinnati, Ohio

- Work Shirts, Police and Fire  
Department  
Items 1-4 - \$34,549.00

Council had before them a resolution to approve the above contract.

Mr. Joe Silberstein, representing the Whale, who said he had been the low bidder, said he should be awarded the contract because he helps the city.

Mr. Solon Bennett, Director of Purchasing, stated, "I'd like to clarify one thing that is very significant, we prefer to do business locally and all things being equal, we will do business locally. We try to take into account in evaluating bids all economic factors. If they show that the lowest total cost to the city comes from an out of the City of Austin supplier, then we are obligated to place that award with that supplier. There is an Attorney General's opinion that states that the fact that a supplier is located within the city limits is not justification for placing an award with that supplier but that we can give economic consideration to other factors that could lead to a different decision. And that's what we try to do. We come to the Council many times when we do not take the low bid from an out of town source because we had an economic basis for awarding it to the local supplier. In this particular case the contract is an annual supply agreement. We estimate the quantities based on past usage and what the user departments indicate they will need for the next 12 months. The City is obligated to buy only its actual needs. We try to be conservative in our estimates so we don't mislead the suppliers. We have prepared specifications. We did, a few years ago, as Mr. Silberstein mentioned, relax the quality standards we had used for years before that and we are paying less because we are not using the higher quality uniform which we did in the past. The Firefighters Association is aware we are running some tests on fire retardant materials and they are concerned about us being locked into buying a large number of the present specified uniforms and then have to consume those before we can turn to the fire retardant uniforms. Our supply agreement says we will buy only what the city needs to if the city changes its requirements, even if it's mid-year, then we are no longer required to buy something we don't need. That's one of the benefits of this approach in contracting.....Based on our past usage of the past 12 months we indicate we will be needing 477 extra large shirts and the types or colors that Mr. Silberstein have a premium charge. We feel our usage will be 20% less than last year. The figures wind up with the Whale being low on the basis price but when you add the premium cost that he specified, we didn't ask for those premium costs, and no one else did indicate premium costs... when we add those on 477 shirts we wind up with an additional charge of \$312.00. We had net 30 days payment terms and Mr. Silberstein requested net 10. All the other suppliers bid net 30. We have to give consideration to the amount of money for the city and the differences of net 10 and net 30 terms. We've done this in the past. Finance Department estimated the difference to be 10-12% and we come up with a difference of \$190 to the City in the value of that money. When you add all these factors together, we don't feel we have any legal or legitimate grounds other than to award to the lowest total cost supplier, which in this case is not a local supplier, but an out of town source."

Mr. Harris and Mr. Bennett then discussed the bid. Councilmember Goodman asked, "Are we legally bound to accept the recommended low bid?" Mr. Harris answered yes.

Motion

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

FECHHEIMER BROTHERS COMPANY  
4545 Malsbury Road  
Cincinnati, Ohio

- Work Shirts, Police and Fire  
Department  
Items 1-4 - \$34,950.00

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

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

Noes: None

Absent: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Cooke

PUBLIC HEARINGS - STREET VACATIONS

Mayor McClellan opened the public hearing scheduled for 4:30 p.m. on the following and passage of Ordinance:

Remaining portion of HEMPHILL PARK DRIVE ALLEY 2900 Block.  
(Requested by Graves, Dougherty, Hearon and Moody representing  
the Estate of David B. and Nellie I. Barrow)

Mr. German, Director of Public Works, said everything is in order.  
No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

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

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

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

Noes: None

Absent: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

-----

Mayor McClellan opened the public hearing scheduled for 4:30 p.m. on the following and passage of ordinance:

0.2587 of one acre adjoining RIVERSIDE DRIVE JOINT VENTURE, Riverside Drive and Willow Creek Drive. (Requested by Mr. Joseph Morahan, Director of the Property Management Department for C.L. Reeves and R.C. Hall)

Mr. German, Director of Public Works, said everything is in order. No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF THE STREET AREA AT THE INTERSECTION OF EAST RIVERSIDE DRIVE AND WILLOW CREEK DRIVE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Absent: Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

#### RAINEY STREET MORATORIUM

Council had before it for consideration the extension of the Rainey Street Neighborhood Moratorium to allow time for the implementation of study recommendations.

Mayor McClellan said she has had people visiting her office expressing concern about extension of the moratorium. She said the people who own the Juarez-Lincoln Building are among them. She also has a letter from John Meinrath, representing a client expressing concern over further extension.

ROY HENDERSON, co-owner with his wife of the Juarez-Lincoln Building, said they wish to remodel the building and did not know there was a moratorium in the area until they went to get a permit for remodeling. He said they will suffer dire consequences financially if they cannot work on the building and he requested Council to not extend the moratorium beyond November 20th.

Mayor McClellan said, "if we could post this for emergency basis on November 20th then we could have the moratorium end on the 21st." Councilmember Goodman said one other property owner in the area applied for an exception and was granted one."

Mayor McClellan said, "This is one of the concerns in the area. I know that the Council spoke very strongly to the fact at the time we put into effect the Rainey Street Moratorium how we wanted it lifted in six months and did not want it continually extended. I would have no objection to posting that and taking action, at the time we have the public hearing, taking action on an emergency basis so whatever we adopt will go into effect immediately. Then we can just extend the moratorium until the 21st."

Motion

Councilmember Cooke moved that the Council extend the Rainey Street Neighborhood Moratorium to November 21, 1980 to allow time for the implementation of study recommendations. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: Mayor Pro Tem Trevino

Absent: Councilmember Mullen

PURPA PUBLIC COUNSEL

Council had before it a resolution to select the PURPA Public Counsel. Councilmember Goodman said he had submitted a list of criteria which he thought should be considered in selecting the public counsel and submitted these items in conjunction with the representative from ACORN.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution selecting Don Butler as PURPA public counsel.

Councilmember Goodman said he had asked that the counsel have "some proven sensitivity and ability to deal with these groups; a proven work record representing these groups; contacts with leaders of low income, East Austin, elderly groups, proven ability to advocate for the consumer position. (I think Mr. Butler fills that one.) Does this person have experience representing big groups, have ties to the communities of the people he, or she will be representing, or does he or she have ties to business interests that he/she should be opposing?" Mr. Harris replied, "We haven't identified in Planergy what meets all those requirements but we have identified people with what they have done."

Roll Call on Motion

Roll Call on the Motion showed the following vote:

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

Noes: None

Absent: Councilmember Mullen

PUBLIC HEARING ON ELECTRIC RATE ORDINANCE  
AMENDMENT

Mayor McClellan opened the public hearing scheduled for 5:00 p.m. on amending the Electric Rate Ordinance pursuant to proposals developed subsequent to 9/15/80 (including lifeline rate proposals.)

Mr. R.L. Hancock, Director of Electric Utility, appeared before Council and stated, "Subsequent to the last public hearing there was one principle rate form developed at Councilmembers request and some subsequent refinements of that rate form. I think the Council received copies of what was termed 14A which was considered by the Electric Utility Commission and approved by that Commission. Subsequent to that, as a refinement we developed what we termed 14C which did a better job of studying the distribution of the elderly and trying to quantify the elderly and relating that not only to the mixed fuel rate but also the single fuel or all electric rate. The form of the rate study was the exclusion of the capacity charge which was  $2\frac{1}{2}$ ¢ kwh in the summer months for all residential consumers consuming less than 350 kwh a month in summer months. In addition to that there was an exclusion of that capacity charge for all occupants of homes who were 65 years and older in Austin service area. This revision followed very closely the initial study but it is a more precise analysis because we were able to do greater sampling as far as the distribution of those over 65 were concerned. For those over 65 the maximum discount would be \$16.37 a month at 700 kwh. Thereafter that discount would taper until between 3500 and 4000 kwh, and at that point that cost saving would diminish. But at 700 kwh which was selected because it provides not only the basic essential needs but for the elderly the air conditioning of one room during the summer months and that maximum discount was essentially a 36-37% decrease in rates during the summer months. The reduction, plus the reduction associated with those consuming less than 350 kwh per month was redistributed within that class to the rest of the consumers in that class and resulted in the following rate change:

"In the non-elderly classification, that would be the classification of those consuming less than 350 kwh would receive a break. That maximum discount occurs at 350 kwh and is \$8.75 or 35%. That cost saving very abruptly disappears then and the reduction for those under 350 and for those over 65 years of age is distributed among the remainder of the residential electric consumers. For a customer with a typical bill of \$116.00 in summer period, their rate would increase to \$124 or \$7.60 a month for a  $6\frac{1}{2}$ % increase in order to cover the decrease for those under 350 and over 65 years of age. We looked at the distribution of those 65 years of age and they are concentrated within

the corporate limits and also looked at the distribution within the corporate limits and are concentrated in mixed fuel. Probably because most of their homes are older homes. Those are the salient features of the refinement of that rate development."

Councilmember Himmelblau expressed her thanks to Mr. Hancock and John Moore and suggested that at the end of the hearing today, they close the hearing and post for action on November 20th when they have a full Council.

MR. JIM MUSIC, President of Retirees Coordinating Board, appeared before Council and said they have registered their approval of 14A.

MR. BILL MAY, Past President, Texas Public Employees Association, said they are in favor of Proposition 14A.

T.C. CALHOON, Vice-President, Retirees Coordinating Board, asked for Council's approval for the lowering of electric rates for the elderly.

GEORGE BRAY, who is for 14A read a letter from Dr. Inez C. Jeffrey.

AL FINGUS asked Council to vote for 14A. He said he is on a fixed income and finds it difficult to pay more for electricity.

JOANN MIDWICKUS, Electric Utility Commission member, said 14A would grant rate relief to the needy and elderly. She is in favor of direct utility assistance funding and thinks 14A is the best.

TOM JOHNSON spoke about Meals on Wheels.

CHARLOTTE FLYNN, GRAY PANTHERS, said they are for Proposition 7 and against 14A.

Councilmember Cooke stated that Proposal 7 discriminates for 55% of the mixed fuel and single fuel users at the expense of about 45% of those residential classes. It takes from one group and gives to another group. It takes \$3.7-million dollars from one group and gives it to the senior citizens. He said Proposal 7 is arbitrary usage. It takes selected classes, specified what classes and it takes \$9,000,000 from the classes. Councilmember Cooke said he is for conservation and feels this City should take extreme measures before they build a lignite facility with LCRA.

Councilmember Himmelblau stated, "I agree that seniors should be encouraged to stay in their homes and I have been very concerned with the new homemaker programs that are coming forth from the government. I think to afford electricity in their homes is a big thing and this wasn't a knee jerk thing. I've worked with the seniors since I was on the Council. I attended the first White House conference on geriatrics as a representative of the Governor of the State of Washington. I'm extremely sincere in wanting to help seniors and I see their needs different than my needs. I'll be senior one of these days and fairly soon but I think their health problems are different than mine. I think they need air conditioning, where the younger people do not, and this is the basis of why 14A was developed. It was aimed at those who can conserve and stay under 350 based on the University of Texas Department of Energy studies of what 350 KWH per month would give



plus the needs of the seniors and that is how it was developed. I know you have been outspoken and I know what you have said and I really harbor no ill feelings and I would like to work with the Gray Panthers, not against them. I think all of us need to work with the seniors. Longevity is being increased. We see more problems each year and I think with the various conference scheduled that maybe some of these needs can be addressed. We need to work together and not in opposition."

Mayor McClellan pointed out that there are some in each age category who need help and some who don't. She said she has really been struggling with what is the best way to really address helping those who need the help.

A man who did not identify himself, said the lifeline rate is needed for the elderly.

Larry Deuser presented the minority opinion and asked Council not to adopt 14A.

Gregg Schaat, a student, appeared and spoke in favor of Proposition 7. He said students need relief also.

William G. Paar asked about people who are on the verge of being elderly. He said Council should take care of them because they are on a fixed income also.

Jack Jackson asked Council to not tax the necessity of life.

Edith Buss, Travis County Democratic Women, spoke in favor of Proposition 7; as did Ron Greissel.

Rudy Goodwin spoke against 14A.

Councilmember Himmelblau asked what percentage of people use 350 kwh or under. Mr. Hancock told her that in the residential mixed fuel class, 27.35% use 350 kwh or less.

Dorothy Harbill, who is from Minnesota, is in favor of Proposal 7.

Shudde Fath urged the passage of Proposal 7.

Conrad Fath is against 14A.

Motion

Councilmember Goodman moved that the Council close the public hearing on amending the Electric Rate Ordinance pursuant to proposals developed subsequent to 9/15/80 (including lifeline rate proposals); and schedule for action on November 20, 1980. (Unanimous vote, Councilmember Mullen absent)

ACORN AS INTERVENOR

Councilmember Goodman moved that the Council adopt a resolution approving ACORN's request to intervene in Southern Union Gas Company's rate increase. The motion, seconded by Councilmember Snell, carried by the following vote:

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


AGENDA ITEM PULLED

Consideration of entering into a two-year lease for property at the northeast corner of 9th Street and Lavaca for use as a parking facility for citizens - customers at an annual cost of \$26,400 (\$2,200/month) was pulled from the Agenda for one week.


ADJOURNMENT

Council adjourned its meeting at 7:10 p.m.

APPROVED

  
Mayor

ATTEST:

  
City Clerk