

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 11, 1980  
3:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: Councilmembers Goodman, Mullen

The Invocation was given by Dr. Leslie Green, Hyde Park Christian  
Church.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the  
Minutes of the Special Meeting of November 24, 1980. The motion, seconded  
by Councilmember Himmelblau, carried by Unanimous vote. (Councilmembers  
Mullen and Goodman absent.)

### BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments will be made on December 18, 1980:

On-Going Goals Committee, 5  
Vending Commission, 1  
Dental Health Advisory Committee, 1  
Human Relations Commission, 7  
Manpower Advisory Planning Council, 2  
Building Standards Commission, 2  
Austin Community Education Consortium, 3  
PARC, 1  
Community Development Commission, 1  
Electrical Board, 3  
Elisabet Ney Museum Board of Directors, 1  
Library Commission, 1  
Medical Assistance Program Advisory Board, 5  
Police Retirement Board, 1  
Environmental Board, 1  
Hospital Board, 1  
Ethics Review Commission, 1  
Construction Advisory Committee, 1  
Board of Adjustment, 4

### EMINENT DOMAIN PROCEEDINGS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for:

Widening and improvements of Yellow Jacket Lane in C.D.D. Project #12. 679 square feet of land out of the Santiago Del Valle Grant. (Kermit L. Crawford, owner)

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

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

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Councilmember Himmelblau moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for:

Williamson Creek Sanitary Sewer Project.

2,350.66 square feet of land out of Lot 21-A of a Resubdivision of Lots 21, 22, 23, and 24, Block "O", Park Forest, Section 7. (Ewing K. Evans, et al, owners)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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Councilmember Himmelblau moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for:

Widening and improvement of Richardson Lane in C.D.D. Project #12: 0.34 of one acre of land out of the Santiago Del Valle Grant. (Floyd Lee Johnson, et al, owners)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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Councilmember Himmelblau moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for:

Barton Creek Park:

49.510 acres out of the John P. Rozier Survey. (Wilbur A. Foster, et ux, owners)

56.36 acres and 26.06 acres out of the John P. Rozier Survey. Edwin E. Foster, et ux, owners)

30.773 acres out the James Standifer Survey and 7.39 acres out of the John P. Rozier Survey. (Collimation, Inc., Wilbur A. Foster, President, owners)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

HIKE & BIKE TRAIL

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the acquisition of certain land for the lower Shoal Creek Hike and Bike Trail, CAPITAL IMPROVEMENTS PROGRAM No. 73/86-38: 2,605 square feet of land out of Outlot 11, Division Z. (James M. Bell, et ux on contract of sale to William M. Bell). The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

EXTENSION OF LEASE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution authorizing extension of lease agreement between the City of Austin and Henry S. Miller Management Corporation for space in the Windsor Village Shopping Center for the Windsor Village Branch Library. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

WASTEWATER APPROACH MAINS

Councilmember Himmelblau moved that the Council adopt a resolution approving the following Wastewater Approach Mains:

ORTHOS PROPERTIES, N.V. - Construction of an 8-inch waste-water approach main to serve Crow Industrial Park South, Section One - \$92,220.00 (No cost to City)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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Councilmember Himmelblau moved that the Council adopt a resolution approving the following Wastewater Approach Mains:

JOHN H. CRUTCHFIELD, TRUSTEE - Construction of an 8-inch waste-water approach main to serve Lumberyard South Subdivision - \$25,500.00. (Cost participation by City will be \$10,865.00 which includes 6% engineering cost.)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

CONTRACTS APPROVED

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

Bid award:

- Sand, Fill and Mortar Types and Sandy Loam Topsoil, Street & Bridge Division, Central Stores Division & Parks and Recreation Department Twelve (12) Month Supply Agreement Items 1.0 through alternate 3.0 awarded by line item to appropriate suppliers on a first, second and third low bid basis - Estimated total \$26,747.19

CENTEX MATERIALS, INC.  
Timberline Office Park  
Austin, Texas

TEXAS INDUSTRIES, INC.  
825 Ed Bluestein  
Austin, Texas

FOREMOST CONSTRUCTION COMPANY  
8400 Delwau Lane  
Austin, Texas

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

Bid award: - Firefighting Hose, Fire Department

HALPRIN SUPPLY COMPANY - Item 2 - 7,200 ft. @ \$1.02  
2808 Winfield Drive Total \$7,344.00  
Plano, Texas

TEXAS FIREFIGHTING EQUIPMENT CO. - Item 3 - 9,100 ft. @ \$1.58  
1144 Eikel Street Total \$14,378.00  
New Braunfels, Texas

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

Bid award: - Uniforms, Coats and Jackets, Central  
Stores Division  
Twelve (12) Month Supply Agreement

TEXTILE SALES & COMPANY - Items 1, 2, 3, 5, & 6 - \$58,391.00  
9705 Burnet Road  
Austin, Texas

FECHHEIMER BROTHERS - Items 7 & 8 - \$30,750.00  
4545 Malsbury Road  
Austin, Texas

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

Bid award:

- Coarse Paper Products, Central Stores Division  
Six (6) Month Supply Agreement  
Items 1-25 awarded by line item  
to appropriate suppliers based on  
first, second and third low bidder,  
etc. Estimated total \$65,773.56

BANCROFT PAPER COMPANY  
2291 E. 6th Street  
Austin, Texas

CENTURY PAPER, INC.  
3202 Aniol Street  
San Antonio, Texas

LAWRENCE PAPER COMPANY  
4812 N. IH-35  
Austin, Texas

LONE STAR PAPER COMPANY  
200-210 E. St. Elmo Road  
Austin, Texas

MONARCH PAPER  
3911 E. Woodward  
Austin, Texas

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

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

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

CALCO SOUTHEAST  
4501 Burleson Road  
Austin, Texas

- Survey Stakes, Central Stores  
Division  
Twelve (12) Month Supply Agreement  
Items 1 thru 4 - \$10,024.00

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

THRIFT TEX FORMS, INC.  
13001 Sherbourne  
Round Rock, Texas

- Stock Paper, Office Services  
Division  
Item 1 - 4,973M @ \$6.59/M  
Total \$32,772.07

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

R.B. JOHNSON COMPANY  
1017 Rosine  
Houston, Texas

- Freeze Protection Cable, Electric  
Utility Department  
Item 1 & 2 - \$9,840.00

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

GENERAL ELECTRIC SUPPLY COMPANY  
7521 North Lamar Boulevard  
Austin, Texas

- Galvanized Steel Guy Wire, Electric  
Utility Department  
Item 1 - \$15,912.50

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

MCGRAW-EDISON COMPANY  
Power Systems Division  
6000 South Padre Island  
Corpus Christi, Texas

- Repair Kit for power transformer  
at McNeil Substation, Electric  
Utility Department - \$6,210.95

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

TECHLINE, INC.  
8750 Shoalcreek Boulevard  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Helixes and Attachments, Electric  
Utility Department  
Item 1 thru 9 - \$20,226.47

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

COPELCO CORPORATION  
20 Brace Road, Suite 220  
Cherry Hill, New Jersey

- General Electric Model H 4000-A  
Ultrasound System for Radiology,  
Brackenridge Hospital  
60 months @ \$2,085.40 average  
Total \$125,124.00

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

Bid award:

- CAPITAL IMPROVEMENTS PROGRAM -  
Hospital Beds and other 8th & 9th  
Floor Furnishings, Brackenridge  
Hospital - \$155,083.46

A.I.M., INC.  
3720 San Jacinto  
Houston, Texas

- Items 1 & 2 - 16 ea.  
Total \$17,134.40

HILL-ROM COMPANY, INC.  
Batesville, Indiana

- Item 3 - 92 ea.  
Total \$91,264.00

INTER-ROYAL CORP.  
1 Park Avenue  
New York, New York

- Item 6 - 106 ea.  
Total \$13,060.26

AMSCO  
c/o American Sterilizer Co.  
Dallas Regional Office  
1002 Central Expressway  
Richardson, Texas

- Items 7, 8, & 9 - 4 ea.  
Total \$22,874.80

ENCORE DRAPERIES & INTERIORS  
3216 South Congress  
Austin, Texas

- Item 10 - 1 Lot  
Total \$10,750.00

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

PEARSON & ASSOCIATES  
307 West 7th Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Site Development for the Austin  
Nature Center - Phase I -  
\$24,455.00 C.I.P. No. 77/86-15

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

M.G. BRAVO CONSTRUCTION, INC.  
P.O. Box 49067  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Austin Nature Center - \$448,600.00  
C.I.P. No. 77/86-15

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

#### TRAFFIC SIGNALS

Councilmember Himmelblau moved that the Council adopt a resolution entering into an agreement with the State Department of Highways and Public Transportation to permit the City to assume operation and maintenance of traffic signals at Anderson Lane and Loop 1. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

### REFUND OF TAXES

Councilmember Himmelblau moved that the Council adopt a resolution authorizing refund of taxes erroneously assessed and paid by Lakeside Joint Venture for the years 1973 through 1978 on tax parcel #1-1612-0201, Laguna Loma Subdivision. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

### RESPIRATORY THERAPY CONTRACT

Councilmember Himmelblau moved that the Council adopt a resolution approving a contract between Brackenridge Hospital and Dr. Harold Cain in the amount of \$10,000 for medical directorship in respiratory therapy. (Recommended by Hospital Board). The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

### MODIFIED SPEED SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution to enter into a contract with the Texas State Department of Highways and Public Transportation in the amount of \$116,764.78 for the project entitled "Modified Speed Selective Traffic Enforcement Program (STEP) City of Austin" for the period January 1, 1981 through September 30, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

### LABOR MARKET ANALYSIS

Councilmember Himmelblau moved that the Council adopt a resolution to enter into a contract with the Center for the Study of Human Resources, at the University of Texas at Austin, in the amount of \$71,905 to conduct a labor market analysis of the Austin SMSA (Hays, Travis, and Williamson counties). The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

Councilmember Himmelblau noted that this will be DOL funding and not the city's.

### ITEMS PULLED

The following items were pulled from the agenda during the consent resolution motion:

Consider exchange of land between the City of Austin and the Austin Redevelopment Authority.

Consider selection of professional services and approval of a contract in connection with the required audit of federal grant funds administered by the City of Austin. To be on December 18, 1980 Agenda.

Consider authorizing an extension to the contract with Houston Lighting and Power Company for the sale of additional electric generating capacity. To be on December 18, 1980 Agenda.

### DISTRICT TAX CONTRACT

Councilmember Himmelblau moved that the Council adopt a resolution approving modifications to the City of Austin and Austin Independent School District Tax Contract. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

PUBLIC HEARINGS SET

Councilmember Himmelblau moved that the Council set a public hearing for the following:

Deletion of subdivision requirement on zoning case C14-73-228 for January 8, 1981 at 2:15 p.m.

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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Councilmember Himmelblau moved that the Council set a public hearing for the following:

Annexation of:

1. 7.31 acres of land requested by owner, a portion of Barrington Oaks Section 11 Subdivision. C7a-80-013
2. 201.0 acres (199.38 acres requested by owner, and out of the Thomas Anderson League No. 17, and 1.62 acres initiated by the City). C17-80-014 January 15, 1981 at 6:30 p.m.

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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Councilmember Himmelblau moved that the Council set a public hearing for the following:

Presentation of Community Development Block Grant Progress Report for January 8, 1981 at 2:30 p.m.

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

#### PUBLIC HEARING TO BE SET

Councilmember Himmelblau moved that the Council bring back on December 18, 1980 the following item to be set for public hearing.

Austin Central Business Rail Relocation Study.  
(suggested date: January 15, 1981)

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

#### ZILKER PARK TRAIN FARES

Councilmember Himmelblau moved that the Council adopt a resolution amending a Concession Contract between the City of Austin and Mr. Nick Kostetsky to increase the price for Zilker Park Train ride from 50¢ to 70¢ for adults and from 35¢ to 50¢ for children. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Mayor McClellan

Noes: Mayor Pro Tem Trevino

Absent: Councilmembers Goodman, Mullen



OPERATING BUDGET

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING \$4,009.00 FROM THE GENERAL FUND ENDING BALANCE TO THE 1980-1981 OPERATING BUDGET OF THE MUNICIPAL COURT FOR THE PURPOSE OF FUNDING RELIEF FOR THE MUNICIPAL COURT; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

Councilmember Himmelblau stated that the amount is \$12.16 an hour for the Municipal Court Relief Judge, or \$4,009 for the remainder of the fiscal year.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 1980-1981 BY TRANSFERRING \$9,562.00 AND ONE FULL-TIME EQUIVALENT CLERICAL POSITION FROM THE HUMAN SERVICES DEPARTMENT TO THE HUMAN RELATIONS DEPARTMENT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-81 BY ACCEPTING AND APPROPRIATING \$98,347.00 FROM THE ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF FUNDING A PROJECT ENTITLED "INVESTIGATION OF HYDROLOGIC AND OPERATIONAL CHARACTERISTICS OF SEVERAL POROUS AND CONVENTIONAL PAVING SYSTEMS"; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 1979-80 BY ACCEPTING AND APPROPRIATING \$2,000.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PURPOSE OF FUNDING THE WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS PROJECT; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

ITEM'S FOR NEXT WEEK'S AGENDA

Councilmember Himmelblau moved that the Council put the following items on the December 18, 1980 Agenda regarding consideration of amending the 1980-81 Budget:

1. Appropriating funds from the General Fund ending balance for the required audit of various federal grants administered by the City of Austin.
2. Appropriating and transferring \$1,000,000 from the ending balance of the Electric Fund to the Electric Maintenance Account to provide maintenance activity needed to insure maximum generating capability.

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

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

Noes: None

Absent: Councilmembers Goodman, Mullen

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF BAYLOR STREET AND SUNDRY OTHER STREETS (GROUP 62-B) IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY POOL & ROGERS PAVING CO., INC.; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.  
(C.I.P. No. 75/62-01)

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

## SCHOOL REDUCED SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (d) AND (g) OF SECTION 21-41 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

DELETION - 21-41 (d)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Walsh Tarlton	385' south of south curb of Terrapin	150' south of the south side of Pinnacle
William Cannon	150' east of Cooper Lane	180' west of Cooper Lane

DELETION - 21-41 (g)

Ben White Blvd.	330' west of Packsaddle Pass	300' east of Packsaddle Pass
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## SPEED ZONE MODIFICATIONS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTION (b) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING A CERTAIN ADDITION TO SAID SUBSECTION, THEREBY DECLARING THE MAXIMUM FACIE SPEED LIMIT UPON THAT CERTAIN STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

ADDITION

<u>ON</u>	<u>FROM</u>	<u>TO</u>
E. Stassney Lane	IH 35 (ESR S) (1600 Block	Nuckols Crossing Road (5000 Block)

## NON EMERGENCY TRANSFER SERVICE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 34, SECTION 34-105 OF THE 1967 CODE OF THE CITY OF AUSTIN, BY AMENDING THE SCHEDULE OF RATES COLLECTED BY THE TRANSFER SERVICE FRANCHISE HOLDER; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Noes: None

Absent: Councilmembers Goodman, Mullen

The Mayor announced that the ordinance had been finally passed.

AGENDA ITEM PULLED

Councilmember Himmelblau moved that the Council pull from the Agenda, the following item:

Consider an Ordinance vacating the following: (Public hearing held and closed June 28, 1979)

SABINE STREET from the north property line of East 9th Street to the south property line of East 10th Street. (Requested by the Austin Redevelopment Authority, City of Austin and the Southland Corporation.)

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

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

Noes: None

Absent: Councilmembers Goodman, 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:

A 5.83 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE NORTH SIDE OF U.S. 183, APPROXIMATELY 300 FEET EAST OF BELL AVENUE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bell Avenue Area Study, C14-79-044) (Tr. 9)

Councilmember Himmelblau moved that the Council pass the ordinance through its first reading. The motion, seconded by Mayor McClellan, FAILED to carry by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Mullen

Abstain: Councilmembers Trevino, Cooke

Council agreed to consider this later when a full Council would be present.

LATER IN THE DAY

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 5.83 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE NORTH SIDE OF U.S. 183, APPROXIMATELY 300 FEET EAST OF BELL AVENUE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bell Avenue Area Study, C14-79-044) (Tr. 9)

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

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

Noes: None

Abstain: Councilmembers Trevino, Cooke

The Mayor announced that the ordinance had been finally passed.

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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 8.0463 ACRE TRACT OF LAND, LOCALLY KNOWN AS 300-500 EAST WILLIAM CANNON, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Revinir, LTD., C14-80-118)

Councilmember Himmelblau moved that the Council pass the ordinance through its first reading. The motion, seconded by Mayor McClellan, FAILED to carry by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Mullen

Abstain: Councilmembers Trevino, Cooke

Council agreed to consider this later when a full Council would be present.

LATER IN THE DAY

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 8.0463 ACRE TRACT OF LAND, LOCALLY KNOWN AS 300-500 EAST WILLIAM CANNON, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Revinir, LTD., C14-80-118)

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

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

Noes: None

Abstain: Councilmembers Trevino, Cooke

The Mayor announced that the ordinance had been finally passed.

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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 9 AND 10, WALNUT HILLS, SECTION 5, LOCALLY KNOWN AS 3211 JACK COOK, BOUNDED TO THE NORTH BY NORTHEAST DRIVE AND THE EAST BY MANOR ROAD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL 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. (Clarence & Vera Williams, C14-80-100)

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

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

Noes: Councilmember Himmelblau, Mayor McClellan

The Mayor announced that the ordinance had been finally passed.



## REPORT FROM LEGISLATIVE COUNSEL

MR. JOE LONGLEY, Legislative Counsel for the City of Austin, appeared before Council and reported as follows: "Since our last work session we have distributed the packets which were being made by the Public Information Department and they have been given to the incoming members of the Legislature. We were very fortunate in having the assistance of Representative Pete Laney, Speaker of the House Bill Clayton, and Pete's wife Melba, took us up and allowed us to address the wives of the new incoming Legislators and we distributed the packets directly to them and Speaker Clayton also allowed us to address the entire assembly of those who were there. This was Sunday before last, so it was very successful." He said incumbent Legislators also requested the packets so they are being sent to their home districts with a note from the Mayor. Mr. Longley continued, "We have been working with the City Manager's office on trying to set up very soon a luncheon between our Council and our Travis County delegations with members of some of the City Manager's staff present also. We'd like to have it prior to the beginning of the session which is noon on January 13 of next year. If you can suggest some dates I will set it up." The Mayor said she will work on dates with the Council and let him know. Mr. Longley went on to say, "With regard to specific legislation, I have talked with Senator Santiesteban on the Metropolitan Transit Authority discussion we had last time. They have not yet introduced that Bill but his assistant said he thought it will be pre-filed tomorrow in a package of bills. I have a copy of the legislation which I am going to distribute to Council and the City Manager's office and City Attorney's office. They said it would be a very simple matter to include our City in the brackets if we wish to do so. Right now they have a bracket of 425,000 and we can reduce that to 340,000 to include the City of Austin if we wish to go that route. I have held up on other specific legislation until we have the Texas Municipal League policy manual. ....I've already heard from many Council members on specific items and we have been waiting until we see the manual. I have spoken with several Senators and Legislators since our last meeting and they are all very pleased with the progress we are making. Plans are still being made with the City Manager's office for a Legislative reception, possibly in conjunction with the Chamber of Commerce or other interested civic groups. We will coordinate that before our next work session. We are also working on periodic contact with each member of the Legislature with items of information and interest related to Austin.

"Specifically, other than the Metropolitan Transit Authority, we have had some contact regarding beverage container legislation which was referred to us for our review. We have not seen any specific legislation on that yet, but when I do, I will get back to you in a work session. Other legislation of interest so far is a possible increase in requirements on the motor vehicle registration fees. ....I know the City of Fort Worth and the City of Dallas are contemplating legislation regarding increasing the requirements on the franchise referendums on the older statutes. If that legislation is drafted I will provide it to Council. That, right now, constitutes my report."

## PORPOSED MUD IN NORTH AUSTIN GROWTH CORRIDOR

Mr. Muehlenbeck, Deputy City Manager, introduced the City Manager Report on Proposed MUD in North Austin Growth Corridor and asked Mr. James H. Mills, who had requested to speak under Citizens Communications to appear at this time.

MR. MILLS, who requested creation of North Austin Growth Corridor Municipal Utility District Number One, is the vice president and general manager of the Provident Development Company. He said this is being created according to the policies established by Council about a year ago. Mr. Mills told Council the area is located north of the city, north of Howard Lane and includes approximately 800 acres all located within the proposed growth corridor on the north side of the city. The proposal is to provide utility connections to the City of Austin to existing utility systems that are in place today or currently under construction. It involves the extension of several miles of sewer line and almost a mile of water line. He said they have a few details left to work out with staff on contract language but the general concept is now in place and he said he hopes to have that worked out by January 8th and would like to have this placed on the Council's agenda at that time.

Mayor McClellan thanked Mr. Mills for the presentation and said this will be brought back on the January 8th Agenda.

## UPDATE ON ATKINSON ROAD CONSTRUCTION

Mr. John German, Director of Public Works, reported on the Update on Atkinson Road Construction. He stated, "We are expecting to have the plans for the project completed near the end of December and we need about a 30 day period in order to get utility lines relocated so we could advertise for bids on this project in February and the Council could award the contract in March. However, we do need consideration of additional funding if we are to proceed with the project. It will be \$74,300 additional if we take the option that I recommended on using buttons as opposed to concrete medians." Mr. German said he needs direction from Council as to whether they want to find that money at this point and if so he said he will come back at the next meeting with some recommended projects that could be reduced in scope or some amendments. Mayor McClellan said Council needs some information as to what should be changed around and they do not have enough information to make the decision today. Mr. German said he will have some ideas ready for Council. He said they will continue on the plans to try to get County to pay for it.

## 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:

LOT 4, DIVISION E, CITY OF AUSTIN, LOCALLY KNOWN AS 816 W. 10TH STREET, FROM "B" 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 DECLARING AN EMERGENCY. (Lena M. Schwarzer, C14-80-201)

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 Mayor McClellan, carried by the following vote:

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

Noes: Noes:

Absent: Councilmembers Goodman, Mullen

## ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 3:00 p.m., on the following application. Pursuant to published notice thereof, the following zoning was publicly heard:

PILGRIM REST BAPTIST CHURCH	2400 E. 11th St. also bounded by Swenson Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area No recommendation by the Planning Commission (Tie Vote)
By Rev. J.M. Miles C14-80-183		

Mr. Lillie, Director of Planning, reminded Council that this item was on their agenda last week and was pulled at the request of Councilmember Snell because there were not enough members of the Council present at the last meeting.

Councilmember Snell stated, "Normally when the neighborhood agrees we don't have any problem and I checked in the neighborhood and they all seem to want to grant this zoning change than to have the cars parked in the street." Councilmember Himmelblau said, "I was the one who was not going to vote for it because of spot zoning, but I agree with Mr. Snell that this is acceptable and with the roll back provision in there I have no objection."

No one appeared to be heard.

Motion

Councilmember Snell moved that the Council grant "O" Office, 1st Height and Area District with Restrictive Covenant to Roll Back if not used for a parking lot. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Absent: Councilmembers Goodman, Mullen

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

At this point Councilmember Goodman entered the Council Chamber.

LAKE AUSTIN PENINSULA

Mayor McClellan opened the public hearing, scheduled for 3:15 p.m. on Amendments to Chapter 29 and 41 concerning the Lake Austin Peninsula and adoption thereof.

Mr. Richard Lillie, Director of Planning, told Council, "Following the Council's consideration of the Peninsula Study and public hearing on that, the Planning Commission proceeded to consider development standards that would be applicable to the peninsula area. A subcommittee was appointed and chaired by Sally Shipman. The Planning Commission received their report in November and forwarded to you amendments to both the subdivision ordinance and Chapter 29 which is the Rivers, Creeks and Water Courses and deals primarily with the creek permit. The essence of the recommendation is that on lot size, the minimum shall be one acre with a minimum width 100' at the building set back line, a minimum lot width of 50' at the building set back line on cul de sac turn-arounds. That is for a subdivision. In a Planned Unit Development the one acre rather than be net would be gross, for example if you had 100 acres you could have 100 units. In addition to the gross averaging no building sites would be located on slopes greater than 35%. Under street standards, the low density alternative urban street standards as provided in Council's Ordinance would be used because of the low density. Under wastewater systems the collection and disposal of wastewater would

meet the criteria established in the Septic Tank Ordinance and one of the concerns of the Commission was that the Septic Tank Ordinance needs to be reviewed and strengthened. The minimum size of non-residential lots shall be two acres. All developments shall meet the impervious cover standards already existent in the Lake Austin Ordinance and the alternative methods shall not be used to increase impervious cover for non-residential areas. Finally, the variance sections that are already in the Lake Austin Ordinance in Chapter 29 be instituted." Mr. Lillie then passed out copies of three possible subdivision layouts. One was a standard layout with one acre minimums and street widths. One showed one acre minimum lot sizes providing open space within the subdivision and another showed a cluster development. All of the layouts were on the same tract of land to give an idea of what may be possible.

MS. HELEN DURIO, President, Lake Austin Hill Country Homeowners Association, told Council that in their opinion, urban run off will harm the water supply by pollution. She said whatever is done in the Lake Austin peninsula will effect Austin's future. She said that her area is being ignored by Council. Ms. Durio also stated the Council should remove the provision for clustering.

Councilmember Goodman wondered whether West Lake Hills has any standards regarding development on slopes.

RALPH ALLDAVE, chairman of the city development commission of West Lake Hills, discussed the need for green and open space as opposed to buildings.

JOHNNY SCHULTZ who lives in Austin's ETJ and not in West Lake Hills, said people in the ETJ area should be allowed on the Planning Commission.

ED WENDLER JR. told Council that the developers want to build on flat land and preserve the environmentally sensitive areas. He said averaging and clustering should be practiced on the flat areas. He said that without annexation and zoning control there will be no density control in the area.

GARY BRADLEY, a property owner, told Council a one acre minimum should be required for septic tanks but there should be plans for a collective system in the future. No building should take place on slopes less than 30%.

DOROTHY HARBO talked about one acre sites and said houses cannot be built on steep land.

Mayor McClellan said the public hearing can be closed but a decision on the amendments will be made later in the day when Councilmember Mullen is present at his request.

Motion

Councilmember Goodman moved that the Council close the public hearing. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

LATER IN THE DAY: (Councilmember Mullen was present in the Council Chamber)

Councilmember Goodman stated, "I have passed out a preliminary draft of Proposed Peninsula Development Standards. I've given a copy to the City Clerk. This is basically a result of the efforts of the Planning Commission and its subcommittee. There have been a few changes to it including the minimum size of all lots which has been increased to 125 feet. It allows for clustering and does call for one acre minimum lot size except in the event of clustering or the PUD process where one acre average will apply."

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 29 (RIVERS, LAKES AND WATERCOURSES) OF THE AUSTIN CITY CODE OF 1967; ADDING THERETO A NEW SECTION 29-56 SETTING FORTH SPECIAL STANDARDS FOR APPROVAL OF SITE DEVELOPMENT PERMIT APPLICATIONS FOR LAND IN THAT AREA OF THE LAKE AUSTIN WATERSHED KNOWN AS THE "LAKE AUSTIN PENINSULA"; PROVIDING FOR A MINIMUM SIZE OF ONE (1) ACRE FOR ANY LAND, TRACT, PARCEL OR LOT UTILIZING SEPTIC TANKS OR OTHER INDIVIDUAL WASTE DISPOSAL SYSTEMS; PROHIBITING BUILDING ON SLOPES GREATER THAN THIRTY-FIVE PERCENT (35%); PROHIBITING THE USE OF ALTERNATIVE METHODS; PROVIDING FOR VARIANCES; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 41 (SUBDIVISION) OF THE AUSTIN CITY CODE OF 1967; ADDING THERETO A NEW SECTION 41-35.4 SETTING FORTH SPECIAL REQUIREMENTS FOR SUBDIVISION OF LAND WITHIN THAT AREA OF THE LAKE AUSTIN WATERSHED KNOWN AS THE "LAKE AUSTIN PENINSULA"; PROVIDING FOR A MINIMUM LOT SIZE OF ONE (1) ACRE FOR SUBDIVISIONS UTILIZING SEPTIC TANKS OR OTHER INDIVIDUAL WASTE DISPOSAL SYSTEMS; PROVIDING FOR A MAXIMUM AVERAGE OF ONE (1) LOT PER ACRE FOR SUBDIVISIONS UTILIZING CONVENTIONAL SEWER SYSTEMS; PROVIDING FOR A MAXIMUM AVERAGE OF ONE (1) LOT PER ACRE FOR SUBDIVISIONS UTILIZING COLLECTIVE WASTE DISPOSAL SYSTEMS ONLY IF SUCH SUBDIVISIONS ARE DEVELOPED PURSUANT TO THE "PLANNED UNIT DEVELOPMENT" PROCESS; ADOPTING BY REFERENCE THE PROVISIONS OF THE "SEPTIC TANK ORDINANCE" EXCEPT WHERE IN CONFLICT HERewith; PROHIBITING BUILDING ON SLOPES GREATER THAN THIRTY-FIVE PERCENT (35%); PROHIBITING THE USE OF ALTERNATIVE URBAN STREET STANDARDS; PROVIDING FOR VARIANCES; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Amendments to Chapter 29 & 41 concerning the Lake Austin Peninsula as follows:

Sec. 41-35.4 Special requirements for the subdivision of land on the West Lake Peninsula:

Subdivision of any land which is located on the peninsula formed by Lake Austin (Colorado River) generally north of West Lake Hills, as described by the map affixed to this ordinance and by maps to be placed on file with the City Clerk and the Planning Department, shall comply with the provisions of this section.

The application for land subdivision and development shall observe the standards established by other sections of this chapter, including Sections 41-11.1, 41-13 and 41-35.3 pertaining to the Lake Austin watershed, and shall meet the following additional criteria for site development.

(b) Subdivisions utilizing conventional sewer shall be allowed a gross average density of one unit per acre, excluding all recreational land and/or common areas not left in a natural state, and provided that no building site shall be located on slopes greater than 35%.

(c) Subdivisions utilizing collective systems (Ordinance No. 791115-G Part 2.E. Collective Systems.) Shall enjoy the same privileges as paragraph (b) above, with the additional requirement that they must utilize the planned unit development process.

(d) Collection and disposal of wastewater, other than through the use of conventional sewer, shall meet the criteria established in the Septic Tank Ordinance and the amendments providing for the use of alternative wastewater systems where not in conflict with the provisions of this ordinance.

(e) All subdivisions found to be in compliance with the standards of this ordinance shall be entitled to use the low density alternative urban street standards as provided by Ordinance No. 800207-J establishing Sections 41.38.1 through 41.38.5.

(f) All developments must meet the impervious cover standards of Section 41-35.3 (b). The alternative methods provided by Section 41-35.3 (d) shall not be permitted to increase impervious cover.

(g) Variances from the terms of this ordinance may be granted by the Planning Commission only if it is found that, because of special circumstances applicable to the property involved, a strict application deprives such property of privileges or safety enjoyed by other similarly situated property with similarly timed development. Where such conditions are found, the variance permitted shall be the minimum departure from site development standards necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create probabilities of harmful environmental consequences. In no case may a variance be granted that will provide the applicant with any special privileges not enjoyed by other similarly situated properties with similarly timed development. Provided, however, that the Planning Commission shall have no authority to grant a variance based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivides land after the effective date of this Interim ordinance.



## GRANT APPLICATION FOR ARTS

Mr. Leonard Ehrler reported to Council from the Austin Arts Commission on the recommendation on a grant application to the National Endowment for the Arts in the amount of \$30,000. He said that the Commission recommended unanimously that the Parks and Recreation Department seek Council approval to apply for the grant for allocation in Fiscal Year 1981-1982 to neighborhood based and minority art organizations through the City's Cultural Contract Program. The grant program is called "City Arts". Receipt of the grant would entail a commitment of \$30,000 in Hotel Tax Revenue to match the National Endowment for the Arts share, a commitment which the Arts Commission has voted to honor in its recommendations for next year's cultural contract funding. The National Endowment for the Arts further requires that the match consist of "new cash". Mr. Ehrler said that our application claims that the match will consist of "new cash" on the basis of anticipated increases in the dollar amount of cultural contract funds by virtue of the City Council's pledge of 1% of the Hotel Tax for the arts. Mr. Ehrler noted that the request is submitted retroactively because the department learned of the City Arts Program only one week before the application deadline of October 31 and filed the application immediately. They have sought the Arts Commission and City Council approval retroactively.

Councilmember Himmelblau asked, "The Commission's willing to program this into next year's percentage of the Bed Tax, even if we experience a down trend in the economy and the tax is not at the level of this year they will take it off?" Mr. Ehrler told her yes, they feel like the 1% commitment by Council is one that will fluctuate anyway and this is not determined by the amount, just that it is available to match.

Motion

Councilmember Himmelblau moved that the Council approve the submission of a grant application to the National Endowment for the Arts in the amount of \$30,000. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Snell

### RAINEY AREA

The following people discussed the Rainey Area:

MS. MILDRED MILLER said she wants no zoning roll back. She urged the Council to adopt Alternative II and end the moratorium.

MS. REGINA HENDERSON thanked the staff and Council for their time in the study of the Rainey area.

MR. ROY J. HENDERSON asked Council to vote tonight on the Rainey area. He and his wife are owners of the Lincoln-Juarez Building.

MS. MABEL O'NEAL owns and manages a shop in the flea market and she told of the picketing of her business during the past week and the threats to the people regarding the Rainey area.

### SOUTH TEXAS NUCLEAR PROJECT

MR. NEAL SPELCE, representing the Chamber of Commerce, appeared before Council to express the Chamber's support for Austin's participation in the South Texas Nuclear Project. He said thousands of people have jobs in Austin today because of the STNP and a diversified source of energy is needed for our future.

### CABLE TV DISCUSSED

MR. STUART M. DELUCA discussed the proposed schedule for cable TV franchise or contract. In his opinion, the only way to insure the best service at the best rate is to solicit proposals.

### CLARKSVILLE RENTAL REPAIR PROGRAM

MS. PAULINE BROWN and MS. JENNIFER BURGESS appeared before Council to discuss the extension of the Clarksville Rental Repair Program. They thanked Council for extending the program.

Council had before them a resolution to extend the contract for the Clarksville Rental Repair Program administered by the Austin Tenants Council.

#### Motion

Councilmember Goodman moved that the Council adopt a resolution extending the contract for the Clarksville Rental Repair Program administered by the Austin Tenants Council for no longer than six months. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Absent: Councilmember Mullen

CITIZEN DID NOT APPEAR

MR. MITCHELL H. REITMAN who had requested to appear before Council to discuss an ordinance allowing law enforcement officers to question suspicious persons on city and private property did not appear.

DOWNTOWN DEVELOPMENT DISCUSSED

MR. ALAN MARBURGER appeared before Council to discuss displacement of property owners and users in the downtown redevelopment district. He said if the planning is not done properly he will lose out. He asked Council to allow the Planning Commission sufficient time to review the rail study and have a public hearing.

SOUTH TEXAS NUCLEAR PROJECT

MRS. SHUDDE FATH appeared before Council and requested that they place the sale of the South Texas Nuclear Project on the January 17, 1980 Special Election Ballot.

RAINEY AREA

MR. SAM HERNANDEZ appeared to discuss the Rainey area. He said he wants the plan adopted that will not exclude the people who already live there and destroy their homes. He said the Rainey Barrio Plan will help the rich also and described the housing shortage in East Austin.

CITIZEN DID NOT APPEAR

MR. RICH REAM had requested to discuss problems involved in City's contract with the Community Bound program. He did not appear as the problems have been solved.

WATER DISTRICT NO. 19

MR. DICK RATHGABER appeared before Council to request their consent to the creation of Water Control and Improvement District No. 19. He said they will abide by the Barton Creek Water Ordinance. Mayor McClellan informed Council that the staff recommends the creation of the Water District and everything is in order. Councilmember Cooke asked that this be brought back the first meeting in January. Assistant City Attorney Albert DeLaRosa said this can be voted on today. Councilmember Goodman said he wanted to review it, but suggested they vote on it at the December 18, 1980 meeting. Council agreed.

## RAINEY STREET

The following people spoke concerning Rainey Street:

MR. PETE MARTINEZ, president, Rainey Street Association, presented petitions signed by residents of the area in support of Plan IV. He said they want the moratorium extended and want low income houses for the Barrio.

MS. CARMEN RENTERIA appeared, read a letter, and asked Council to vote for Alternative IV.

MS. ADELE MANCIAS asked Council to vote for Alternative IV. She said Alternative II would bring about higher taxes and wipe out the neighborhood.

## PAVING ASSESSMENTS

Mayor McClellan opened the public hearing, scheduled for 4:00 p.m. on paving assessments to be levied on the following, and passage of Ordinance:

CAPITAL IMPROVEMENTS PROGRAM - KRAMER LANE, consisting of one unit covering approximately 1½ blocks. C.I.P. No. 76/62-16

Mr. John German, Director of Public Works, told Council that the purpose of this hearing is to hear of the levying of assessments for improvements on Kramer Lane. A total of ten parcels are involved of which the amount of the assessments total \$19,965.00. An independent appraiser, Mr. Tom Wiley Jr. has researched the properties to determine the enhanced value. He has suggested the reduction of assessments on nine of the parcels.

MR. JAMES RIGGS, Assistant City Attorney, then questioned Mr. Wiley concerning his qualifications as an appraiser.

MR. PHIL MOCKFORD, representing Nash Phillips Copus, told Council NPC is concerned with nine of the ten parcels and request reduction of assessments because there is no access to Kramer Lane from the properties.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN AN AMOUNT AT LEAST EQUAL TO THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF; PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF AND RELEASE OF LIEN ON THE SAME; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (C.I.P. No. 76/62-16.) (Kramer Lane)

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

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

The Mayor announced that the ordinance had been finally passed.

#### "O-1" OFFICE DISTRICT ESTABLISHED

Mayor McClellan opened the public hearing, scheduled for 4:15 p.m. on an amendment to the Zoning Ordinance (Chapter 45) establishing a new "O-1" Office District which prohibits apartment uses.

Mr. Dick Lillie, Director of Planning, stated, "Over the past year the Planning Commission has become more and more concerned about the cumulative nature of our existing ordinance. The fact that if land is zoned "O" office you can also put apartment construction up to a density of about 40 units per acre. It lends very little predictability in areas where office zoning is approved. In consideration of alternatives they felt that a new district just for office development might be the most appropriate. A draft was developed by the Legal Department and distributed to neighborhood associations including the Homebuilders and Apartment Association. A public hearing representation by the Austin Apartment Association and the Homebuilders felt they could support a new office district that would prohibit apartments

rather than amend the existing office district to prohibit apartments. So, in effect, we would have two apartment zones. One that would permit apartments if the market were there and others just for office use. That recommendation comes to you unanimously by the Planning Commission."

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE (ZONING ORDINANCE); PROVIDING FOR THE ADDITION TO THE LIST OF "USE DISTRICT" DESIGNATIONS ENUMERATED IN SEC. 45-5, THE DESIGNATIONS "AV" AIRPORT DISTRICT AND "O-1" OFFICE DISTRICT; PROVIDING THAT, UNLESS OTHERWISE PROVIDED IN THIS CHAPTER, NO BUILDING OR LAND SHALL BE USED AND NO BUILDING SHALL BE ERECTED OR STRUCTURALLY ALTERED IN AN "O-1" OFFICE DISTRICT EXCEPT AS PERMITTED IN AN "O" OFFICE DISTRICT AS SET OUT IN THIS CHAPTER, BUT WITH THE PROVISIO THAT NO APARTMENT HOUSES SHALL BE ALLOWED IN AN "O-1" OFFICE DISTRICT EITHER WITH OR WITHOUT A SPECIAL PERMIT; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke 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 Goodman carried by acclamation. (Councilmember Himmelblau out of the room, Councilmember Mullen absent.)

The Mayor announced that the ordinance had been finally passed.

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Councilmember Mullen entered the Council Chamber  
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#### CABLE TELEVISION

Council had before them the following items related to cable television:

1. Direct the City Manager to negotiate a proposed contract extension with Capital Cable (except for items to be governed by Ascertainment Study.)
2. Authorize amendment to the contract with Cable Television Information Center to provide professional service for:
  - a. Negotiation of the proposed contract extension with Capital Cable.
3. Consider approving the following timetable:
  - a. Presentation to the City Council of the RFP for the Ascertainment Study - December 18, 1980.

- b. Selection of firm for Ascertainment Study - January 8, 1981.
- c. Presentation of the City Manager's Report on negotiations with Capital Cable on proposed contract extension - January 15, 1981.
- d. Setting a public hearing on the City Manager's Report and results of Ascertainment Study - February 12, 1981.

Councilmember Goodman said, "I would like to have a clarification on one point. I think that if staff is going to be negotiating this, we should have some periodic reports to the Council, as frequent as possible, during the process." Councilmember Cooke suggested a weekly report from the City Manager.

Mayor McClellan told Council she had had a lengthy telephone conversation with Mr. Harold Horn that morning concerning the feasibility of the proposed schedule. He said he thought it possible for the City Manager to be able to come back to Council on January 15. At that time "we will certainly lay out the citizens to consider what has been negotiated and to comment on it at that meeting."

Councilmember Goodman expressed concern over the wording of "negotiation of the proposed contract extension with Capital Cable". He said "it is my view and I hope it is one that is shared by a majority of the Council that this should be a franchise, so you know, if it is going to occur with Capital Cable, then it can come in conjunction with their current contract or the franchise period would begin at the end of their current contract or some variation thereof, so that a franchise takes over in the place of a contract." Mayor McClellan asked for a legal explanation. Mr. Albert DeLaRosa, Assistant City Attorney, explained, "The 1963 agreement is denominated a contract and I think that's why on the agenda is a proposed contract extension. However, I think the difference between the two is a word of art distinction because of the fact that the Texas Courts have basically said that this type of agreement for cable television is in fact a franchise."

Councilmember Goodman said, "Let's go ahead and negotiate a franchise as a part of this process and if that requires a motion, when we do all this that would be my request or if this whole thing can encompass there will be a franchise that will be negotiated. ... The third point I would like to make is that some of the debate will no doubt center around whether we have a 54 channel system or an 82 channel system or whatever. I would think that at least those two options at the end of negotiations would be presented to the Council so that we can make an assessment of what the cost difference is going to be to the subscriber. I would like that option available to us so that we can see the difference in cost." Councilmember Cooke reinforced that request. Mayor McClellan agreed that it will be important to find out what the cost will be to the subscriber.

Councilmember Goodman continued, "I am sure there will be a difference and that is why I brought that out and if it requires a motion, then I would make that motion in the negotiations to the staff, that they result in a proposal that is submitted to the Council the inclusion of at least two options, with concrete rates attached....that we direct the staff to come back to the Council for consideration with the 54 channel capacity system and with an 82 channel capacity system and any other options that the company wants to put forth."

Councilmember Himmelblau suggested a 5% franchise fee.

Councilmember Mullen said he thought there should be some leeway in the February 12 date as to the date the Ascertainment Study will be back. He said if it takes more time then there should be an allowance for that.

Mayor McClellan expressed the opinion that the Ascertainment Study should be an on-going process. "We can have an ascertainment study at that time, but it may very well be that some groups...they are going to want to have the opportunity to participate but they may not know for two years precisely what the technology will allow, what they can afford, and I think it is going to be very important to leave open ended some of that area." Councilmember Cooke said at least they will have a starting point and if they don't make it by February 12 at least they have something to start from."

#### Motion

Councilmember Cooke moved, along with Friendly Amendments by Councilmember Goodman, that the Council approve the following:

1. Directed the City Manager to negotiate a proposed franchise agreement with Capital Cable, franchise fee to be 5%; that will include at least two options, one, a 54-channel capacity system and two, an 82-channel capacity system, with what cost difference will be to the subscriber; and weekly updates to Council re negotiations.
2. Authorized amendment to the contract with Cable Television Information Center to provide professional service for:
  - a. Preparation of a RFP for an Ascertainment study; and
  - b. Negotiation of the proposed contract extension with Capital Cable.
3. Approved the following timetable:
  - a. Presentation to the City Council of the RFP for the Ascertainment Study on December 18, 1980.
  - b. Select a firm for Ascertainment Study on January 8, 1981
  - c. Present the City Manager's Report on negotiations with Capital Cable on proposed contract extension on January 15, 1981.
  - d. Set a public hearing on the City Manager's Report and results of Ascertainment Study for February 12, 1981.

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

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

Noes: None

Abstain: Councilmember Snell



PUBLIC HEARING - APPEAL OF BUILDING STANDARDS  
COMMISSION DECISION

Mayor McClellan opened the public hearing, scheduled for 6:00 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.

Mr. Lonnie Davis, Director of Building Inspection, showed slides of the structure and reviewed the application for relocation.

Mike Blanchard, representing the neighborhood into which the house may be moved, said they do not feel the structure is suitable for their neighborhood due to the architecture of the building. He cited a roof which is too high and a house which is too wide for the lot it will be put on. He said the siding is old and delapidated and does not fit in with the Austin stone siding on the other houses in the neighborhood. Mr. Blanchard also called Council's attention to the fact that many trees which overhang the street will have to be trimmed in order to make room for the house to be moved.

Larry Guillot, owner of the house to be moved, said that the house will be brought to a like new condition and listed the improvements he intends to make including the lowering of the foundation so the roof will not be so tall. He said the roof will be removed before the house is moved and the trees will not be cut. He said all financing for improvements has been arranged for.

Mrs. Johnnie Cavanaugh appeared and said she is not against Mr. Guillot but in her opinion he has chosen one of the worst looking houses he can find to be moved into her neighborhood. She presented a petition of 102 names of people who do not want the house in the neighborhood.

Jim Christiansen, 3103 Robinson asked Council to not approve the house for the proposed lot. He felt the house was not sound enough to be moved and also feared trees would be trimmed. He spoke also to the compatibility of its architecture with the neighborhood and said Mr. Guillot will not have to live with the house but the people in the neighborhood will.

Charles Linn, representing his mother who lives in the neighborhood, said the house will not be compatible with the neighborhood.

Larry Guillot returned to the podium to say he does believe the house will be compatible and that he could build a house there that would be totally incompatible. He said the house is safe to move.

Mike Blanchard returned and asked Council to look at the facts and they will determine the house if not compatible with their neighborhood.

Motion

Councilmember Snell moved that the Council close the public hearing and deny the permit to relocate a structure from 9403 Dessau Road to 3002 Breeze Terrace. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

CONGRESS AVENUE

Council had before it a resolution to create the Congress Avenue Task Force consisting of nine members who will report back to Council by June 30, 1981.

Also

Council had before them for consideration an ordinance to consider passage of the Initiated Ordinance related to Congress Avenue.

Motion

Councilmember Cooke moved that the Council adopt a resolution creating the Congress Avenue Task Force consisting of a nine member committee which shall include but not be limited to the Save Congress Committee, Restore Congress Committee, Downtown Merchants, Independent Citizens, Architectural and Heritage Societies as well as neighborhood interests and independent traffic professionals; Committee shall report back to Council by June 30, 1981 with cost and alternatives for improvements. Announcement and consideration of these appointments to be effective as of December 11, 1980 and appointments will be considered December 18th but not later than January 8, 1981. The motion was seconded by Mayor Pro Tem Trevino.

Councilmember Cooke said that Congress should not be left economically dying and dark and dirty. But Council must know the cost of any proposed improvements and not accept a "pig in a poke".

Mayor McClellan stated that before they pass the above resolution the Initiated Ordinance should be voted upon. The Mayor is of the opinion that a Task Force is not needed because the City has a competent staff who can bring Council what they need. She said they need to decide whether they are going to pass the Initiative Ordinance or hold an election on Congress Avenue improvements. Councilmember Cooke felt that the plan so far for Congress Avenue is bureaucratic and staff oriented and too high in cost. There was more discussion on the beautification of Congress Avenue. The Mayor said the result of the petitions shows a majority of the people of Austin want 6 lanes of traffic with 45 degree angle parking and a two-way flow of traffic.

Call for Question

Councilmember Cooke called for the Question. Roll Call showed the following vote:

Ayes: None

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

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

Councilmember Himmelblau stated, "I feel that the petition that has been turned in that Congress Avenue should remain six lanes and that we either go to the voters or adopt the Ordinance as presented."

Roll Call on Motion

Roll Call on the Motion to adopt a resolution creating the Congress Avenue Task Force showed the following vote:

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

Noes: Mayor McClellan, Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT ANY ALTERATIONS TO CONGRESS AVENUE BETWEEN FIRST AND ELEVENTH STREETS SHALL MAINTAIN THE BASIC ELEMENTS OF: (1) TWO-WAY TRAFFIC, (2) SIX TRAFFIC LANES AND, (3) FORTY-FIVE DEGREE ANGLE PARKING; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the Initiated Ordinance related to Congress Avenue. The motion was seconded by Mayor Pro Tem Trevino.

Mayor McClellan stated, "I just want to reiterate since you have created a Task Force for which I think there is no necessity, and you put them on a time frame of June, I think we could get a staff report back in one or two months and be ready to act and proceed with the beautification plan. I think we ought to understand in enacting this ordinance we are enacting the spirit of this ordinance and that task force starts from the point of working... the task force we don't need, starts from the point of working from the premise that any alterations or beautification of the Avenue will be done retaining six lanes of traffic 45 degree angle head in parking and two-way traffic or else we shouldn't be voting to enact the ordinance. We ought to let the voters speak on it."

#### Roll Call on Motion

Roll Call on Motion showed the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Councilmember Goodman asked the Mayor if she will help appoint the members of the task force. Mayor McClellan said she hopes Council will reconsider before appointing members to the Task Force. "I believe what you need is some professional expertise to tell us what we can do with the dollars and that can be brought back to this Council as a whole and this Council is representative of this community and should be speaking for it. I think we could do it more economically and efficiently and we could be proceeding with a beautification plan before." Councilmember Cooke said this would cut the participation of the citizens and he does not think it should be done. Mayor McClellan continued, "I will voice an opinion to the composition and duties of the task force with the understanding that they work on a plan that retains the three basic elements this Council just endorsed and recognize as being the will of the people of this community."

Councilmember Cooke stated that he hopes the plan submitted in June 1981 will be cost effective.

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Council took no action on an ordinance to consider calling a Special Election to be held on January 17, 1981 on the Initiated Ordinance pertaining to Congress Avenue and an alternative Ordinance submitted by the City Council.

#### MULTIPLE INSPECTION PROGRAM

Mayor McClellan opened a public hearing scheduled for 6:30 p.m. on consideration of including the Electrical Inspection Division in the "Multiple Inspection Program".

Mr. Lonnie Davis, Director of Building Inspection and Chairman of City of Austin Electric Appeals Board, appeared before Council and discussed the reasons for the request. He said, "We are continually forced to find ways to meet the increasing demands of the inspections that are placed upon our department. During the past ten years the City has experienced something like 50% increase in land area. At the same time this has occurred we have longer distances to travel to make inspections. Concurrently, inspections have been increased because of the increased amount of construction. This has been in both residential and commercial construction. During the same period our inspection force has not increased in pace with the growth in Austin and the increased number of areas we have to inspect. ....With all the pressures and demands on our inspection staff it leaves us very little room for production growth from a personnel point of view. To alleviate the present problem as well as the projected personnel requirements over the next four to five years, it would appear that we would very shortly need an increase in inspection personnel of four to five people. To help alleviate this problem and reduce the necessity for increasing the personnel staff, we have made the proposal to the City Council that we be permitted to initiate multiple inspection personnel in the area of residential construction. I point out that this request is not all that innovative. The City of Los Angeles has been using this system for the past 15 years. Their reports indicate to us that their multiple inspections are six times more productive than the specialized inspectors. Detroit, Michigan and Phoenix, Arizona also use multiple inspectors for several years. They feel more can be accomplished on the job. We feel this can be attributed to traveling shorter distances between inspections thus reducing their mileage and gives them an opportunity to do more inspection in a single day. With this Council's concurrence we adopted and initiated multiple inspection in May of this year in three areas of construction, building, plumbing, and heating and air conditioning. On an average working day, they will do twice as many inspections as the average inspector and the mileage driven per inspection is 2.89 as opposed to 6.75 for the specialized inspectors. This represents a considerable savings not only in time but in gasoline conservation. The Electrical Board in their October meeting voted to recommend that the proposal of Multiple Inspection Program be initiated and this has been passed on to the City Council. You will hear some reservations expressed by people concerning this program as to quality, quantity and performance. Prior to initiating this program we did an extensive program of training involving 100 hours of both classroom and field inspection for the people we are presently using as multiple inspectors and we will do the same thing if this Council sees fit to approve

December 11, 1980

this request to include electrical inspection. We propose this program only for one and two family dwellings. Mr. Don Dailey, our Chief Electrical Inspector, will present a slide illustration of what we plan to do." Mr. Dailey then gave the slide show.

WALTER TIMBERLAKE, Business Manager of the Electrician's Union; President AFL-CIO Central Labor Council; who serves on the Electrical Appeals Board; appeared before Council. He said a man's home is his castle and he believes that if electrical inspection is cut back, the builders will do sloppy work and not wire houses with enough outlets or with proper care. He said if a man goes out to inspect a job he needs to know whether or not the right gauge wire is used, he needs to know about heating and air conditioning and other things. He asked Council to vote against the proposal before them. He pointed out it takes four years to train a journeyman electrician and he does not believe someone who has only a few hours training can be eligible to inspect a house.

ROBERT STANG, a Master Electrician and former electrical contractor, said separate inspectors for each phase of expertise will cost a few more dollars but people's lives cannot be measured in dollars alone. Safety standards must be maintained, and he asked Council to vote against the inclusion of the Electrical Inspection Division in the Multiple Inspection Program.

RICHARD VAUGHN, electrical contractor, cited the recent MGM Hotel fire in Las Vegas as a tragedy which was caused by faulty wiring and said electrical inspectors who do only that, are needed in Austin.

RAY CLEVELAND appeared and said building inspection is needed for the protection of the citizens of this community.

JACK RUSSELL, Division Manager, Austin Electrical Association, expressed his opposition to the adoption of this policy.

LELAND WILLIAMS said the inclusion of electrical inspection in the Multiple Inspection Program would downgrade the quality of work.

#### Motion

Councilmember Goodman moved that the Council reject inclusion of the Electrical Inspection Division in the Multiple Inspection Program and close the public hearing. The motion was seconded by Councilmember Snell.

Councilmember Himmelblau asked, "Would it be possible to add another set of hours to the training program, or don't you feel this would be beneficial?" Mr. Davis asked if she meant longer training and Councilmember Himmelblau said she was inquiring about more detailed training in the program. Mr. Davis said they are prepared to carry the training to any length necessary to qualify the people for inspection.

Councilmember Mullen questioned whether the majority of the homes in Austin are constructed using non-union electricians. Councilmember Goodman told him it is a changing situation. Councilmember Mullen said that if there is any way cost of housing can be reduced it should be considered. Mayor McClellan said, "I want to respectfully disagree with my colleague. I don't think this is a union or a non-union issue. I think that would paint it a false picture and I do believe it is false economy. The issue is the safety of our citizens and I want professionals protecting the safety of our citizens."

Roll Call on Motion

Roll Call on the Motion showed the following vote:

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

RAINEY STREET DECISION

Council was scheduled to take action on the selection of a Rainey Street Neighborhood Area Development Alternative.

Motion

Councilmember Mullen moved that the Council adopt Alternative II with modifications. The motion was seconded by Councilmember Himmelblau.

Mayor Pro Tem Trevino stated: "We have come at last to a decision point in the question of how the Rainey Street Neighborhood will exist. Their fate is in our hands; will we continue to allow commercial development to take place with no adequate planning safeguards for the residential character of the neighborhood, or will we adopt a compromise which will safeguard both the land owners as well as the neighborhood? I am not totally satisfied with any of the proposed alternatives. Therefore, I would like to propose a series of votes on key elements of proposal 4 in an effort to arrive at what I believe is best for the entire area. Back on November 24th I proposed a task force to do just that very thing. It is up to the Council now, and for that reason, I propose the following series of propositions."

Motion Withdrawn

Councilmember Mullen withdrew his motion and Councilmember Himmelblau withdrew her second.

Motion

Mayor Pro Tem Trevino moved that the Council approve the extension of Red River be constructed in such a way as it would open the green-belt on the lake to all Austin residents and avoid the Rainey residential area (as recommended in proposal 4). The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Motion - Failed for Lack of Second

Mayor Pro Tem Trevino moved that the street and bridge yard be sold and converted to low and moderate income affordable housing. Motion died for lack of second.

Motion

Mayor Pro Tem Trevino moved that the Council create a Historical Conservation District within the Rainey residential core area to provide tax breaks for area residents. If this is not deemed feasible I propose we quickly apply homes in the Rainey Neighborhood for historic zoning on a case by case basis.

Councilmember Himmelblau said, "I feel if we go with the Conservation District we jeopardize the Historic Zoning Ordinance and I could go on a case by case basis." Mayor McClellan agreed with this.

Substitute Motion

Councilmember Cooke made a substitute motion to look at homes in the Rainey Neighborhood for historic zoning on a case by case basis as quickly as possible. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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



Motion - Failed for Lack of Second

Mayor Pro Tem Trevino moved that the Council pass a resolution requesting the Governor to allow the establishment of a "model" rent control district in the Rainey area only. (This authority is granted to a local governing body under Art. 12691.1 of the Revised Civil Statutes which states that a local governing body can implement such a measure, if it is determined that a housing emergency exists. I have no doubt that there is an emergency in the need for affordable housing in Austin, so I feel justified in invoking this measure as an ordinance. This would be a temporary phenomena to allow the market in the area to stabilize while at the same time provide a laboratory to see whether rent control will work in Austin). The motion failed for lack of a second.

Motion

Mayor Pro Tem Trevino moved that the Council direct EACEDC to work in unison with ARA to provide housing rehabilitation assistance for area homeowners, designating Rainey as a priority area. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Motion

Mayor Pro Tem Trevino moved that the Council create buffers between commercial and residential properties along the entire length of Rainey on a case by case basis. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Motion - FAILED

Mayor Pro Tem Trevino moved that the Council require all commercial (L.R., G.R., O etc) proposals for land currently zoned for commercial use to come before the Planning Commission and/or Council for site plan approval. The motion FAILED to carry by the following vote:

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

(This would have extended the moratorium four months)

Motion

Mayor Pro Tem Trevino moved that the Council direct the City Manager to direct the Legal Department to study state statute to see whether an anti-speculation ordinance can be implemented. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

At the time of her vote, Mayor McClellan stated; "I want this read into the record on my vote. I'm going to vote yes with the understanding this is simply to look into the legislation. I am not going to vote for it."

Motion

Mayor Pro Tem Trevino moved that the Council maintain status quo zoning with no rollbacks and no overzoning; with zoning changes coming before Council on an individual basis. The motion was seconded by Councilmember Goodman.

Substitute Motion - FAILED

Councilmember Mullen made a substitute motion that the Council adopt recommendations in Alternate 2 for the remainder of the Rainey Neighborhood Area Development Plan. The motion, seconded by Mayor McClellan, FAILED to carry by the following vote:

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

Roll Call on Motion

Roll Call on Motion showed the following vote:

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

Council decided unanimously that whatever remains in Alternate II will be placed back on the December 18, 1980 Agenda for decision.

RECESS

Mayor McClellan recessed the Council Meeting at 8:45 due to disruptive remarks and behavior from the audience. Council resumed its recessed meeting at 9:00 p.m.

## DUVAL ROAD ALIGNMENT

Councilmember Cooke moved that the Council adopt a resolution to amend the Metropolitan Area Road Plan to incorporate the alignment of Duval Road between Parmer Lane and U.S. 183 to a width of 44 feet. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: Councilmember Mullen

Not in Council Chamber when roll was called: Mayor McClellan

Prior to the vote, Councilmember Cooke said the Milwood Neighborhood Association is satisfied with 44'. Councilmember Himmelblau asked if this will be adequate for future needs. Dr. Benson, Director of Urban Transportation stated 60' has been recommended by staff but 44' would be all right. It would not, however, provide for a left turn lane. Discussion followed.

## AGENDA ITEM POSTPONED

Consideration of an ordinance to revise the Electric Rate Ordinance setting the criteria for the General Demand Classification at 30 KW of demand and 10,000 KWH of energy consumption, was postponed until December 18, 1980.

## ITEM WITHDRAWN

Councilmember Goodman withdrew his item from Council to consider placing the sale of Austin's share of the South Texas Project (Nuclear) on the ballot of the next Special Called Election.

## WILLIAMSON CREEK IMPACT STUDY

Councilmember Mullen introduced an item from Council concerning the status of the Upper Williamson Creek Watershed Environmental Impact Study. Mr. Bill Bulloch, Director of Water and Wastewater, stated, "The project was included in the CIP as unfunded. At the time the Council enacted the Task Force which is working on an ordinance to be considered. There was discussion about allocating the funds for the Task Force for technical support. There was no action on that so the specific proposal that was in the CIP is on hold." Councilmember Mullen said, "We talked about \$100,000 being allocated and with all of the work of the Task Force it is my understanding we may be able to reduce that cost considerably. If so I would like to have a report back to see if we can reduce the cost as soon as the Task Force Report is ready."

PUBLIC HEARING - WILLIAMSON CREEK WATERSHED

Mayor McClellan opened the public hearing which was the continued hearing on the Williamson Creek Watershed Development Standards, and adoption thereof.

MR. DAVID BODENMAN, chairman of the Task Force, told Council they have spent many hours on the development standards and are now at the service of the Council to take their direction.

Mayor McClellan informed the audience in the Council Chamber that the public hearing will be concluded tonight, but that no action will be taken.

IRA YATES, member of the Task Force, reported that the Williamson Creek Ordinance as written by the Task Force should be enacted with few if any material changes. This will permit reasonable contiguous growth and discourage urban sprawl. It also isolates and treats the first flush polluted run off and protects the creek areas where the water enters the ground. He went on to say acreage should be acquired just to the west of the Recharge Zone and located strategically along the creeks to build watershed management dams. These will be used for enhanced recharge by capturing the large run off amounts which normally by pass the Recharge Zone. Proper release of this water would increase the future water supplies. This concept is being used in other Edwards Aquifer regions. Mr. Yates said the City of Austin should support policies of other governmental jurisdictions and individuals which will encourage proper design of any improvements in the Recharge Zone and contributing Zone to the west. These policies should include but not be limited to land use management, zoning, construction practices, and education. However, these policies should not be imposed primarily to hinder development. These policies should encourage proper design and construction when development does occur. He also said promotion of building in the Growth Corridor should proceed immediately by moving toward construction of corridor infrastructure improvements. He told Council that it is important to remember that very restrictive controls insure mediocracy by discouraging innovative ideas. Managed growth is superior to uncontrolled urban sprawl. Cooperation induced through encouragement is much more successful than regulation and its associated costs.

JOE RIDDELL, member of the Task Force, provided Council with three proposals which he said were inspired by the Austin Tomorrow Comprehensive Plan. He said Proposal 1 - Limits on the Amount of Development in the Near Future, would make sure that we have not committed the entire watershed to development before we know how effective various controls are. Proposal 2 - Engineering Report Evaluating Proposed Subdivision Pollution Controls, is a challenge to local engineers to be creative and do the best to limit increases in pollution. Proposal 3 - Studies Before Ordinance Enactment is designed so that we will have a good idea what we are getting into with a new ordinance before it is enacted.

FRANK COOKSEY, a dissenting member of the task force, discussed control strategy and land use controls. He said he believes the approach taken by the majority is going to allow an intensity of development in this area which is inappropriate in order to control urban run off at the level it needs to be controlled. He said the dissenting members of the task force ask Council to review their proposed outline.

LARRY JACKSON appeared before Council and expressed opposition to one acre lots in the Williamson Creek area.

DAVID ARMBRUST, who represents Motorola, asked Council to look carefully at the proposed ordinance.

GILES JACKSON, representing 225 builders, said the proposed Williamson Creek Ordinance is for no-growth. He said there is no real need for the ordinance because the city already had ordinances to cover the area. He then went over the sections which are already covered by present ordinances.

ED WENDLER SR. cited the regulations which are already in existence. He told Council they exceeded their authority and have to prove that the drinking water supply in the Williamson Creek area is in jeopardy.

CLYDE COPUS, a developer, told Council the proposed ordinance is the most stringent one he has seen in 35 years. He asked Council to look city-wide at creeks and ponds, etc. and pass a city-wide ordinance to solve the problem.

BARRY ALLISON, an environmental engineer, expressed his views to Council.

DOROTHY RICHTER, member of Save Barton Creek Association, said that the Barton Springs pool is a mess.

WAYNE GRONQUIST, Save Barton Creek Association, said the City should initiate the finding of Federal funds to enable the purchase of large areas along the creeks in Austin.

DAVID GURSS, Save Barton Creek Association, spoke concerning the density and 40 per cent impervious cover.

MICHAEL BRODY said the area is environmentally sensitive and care in development should be observed.

CLAUDETTE LOWE asked Council to use the latest information on the environment before reaching a decision.

SETH SEARCY said this is a legal issue and could be retroactively applied.

PHILLIP BLACKERBY, president, Save Barton Creek Association, urged Council to accept the minority report for Williamson Creek Watershed.

RAYMOND PRUETT expressed concern that during development, too many trees will be lost.

BILL OLIVER sang a song about the Williamson Creek Watershed area.

JOHN FOSTER, a homebuilder representing himself, said he is concerned about people who cannot buy a home. He said if only large lots are allowed where the rich live, we soon will run out of rich people.

PEGGY GLASS showed charts of pollutant run-off in Virginia.

CHARLIE GRAVES, a consultant, said this should not be a debate between environmentalists and developers. He pointed out that adjustments need to be made in order to make this a workable ordinance.

JAMES HINKLE said that the younger citizens are moving out of the city because of the many restrictions in the city.

RHONDA MORRIS said the City of Austin already has fine subdivision and creek ordinances and wondered if the proposed ordinance is addressing environmental problems or making a statement of no growth.

TIM HINKE, representing the Association of Homebuilders, said this ordinance will stop work for hundreds of people and will encourage urban sprawl.

LEON WHITNEY, a professional city planner, stated the ordinance will cause urban sprawl.

BOB PARK said he likes living in Austin because we do not have pollution.

GEORGEANNA JONES discussed the proposed ordinance.

HOWARD OWEN said there would be an economic impact if larger lots are encouraged. He spoke about the high cost of lots and homes and said this knocks out 99% of the people who would ordinarily buy a house.

STAN JOHNSON JR. said that there was pollution in Barton Creek 30 years ago also. He said mass transportation is needed, people should live closer together, and in his opinion the City does not need the Task Force recommendation.

TRIGG FORESTER spoke in opposition to the proposed ordinance. He said the City already has ordinances to cover everything.

ANN MCAFEE told Council that Barton Springs already smells bad and something should be done about the pollution.

JOE NOLE, environmental engineer, asked Council to adopt the ordinance with the understanding it will be reviewed after it has been tested.

A. WAYNE PEARCE, a hydrologist, said that man must co-exist with the environment. He said there is a real possibility contamination could occur from poisonings which would filter into the streams. He hopes Council can find a compromise until all data is gathered.

Councilmember Cooke asked Mr. Pearce to put in writing and give to Council all the parts of the ordinance which he thinks is wrong.

DAVID BLOCH, Zilker Park Posse, questioned the density proposed.

DON WEST, a home builder, expressed concern about the environment. He said that Round Rock gets water from the Edwards Aquifer but there is no master plan for the sewers.

PIERRE BARTON, an engineer, said the ordinance should be an example of what to do with other creeks.

JOHN MEINRATH reiterated Ed Wendler's statements. He said that Williamson Creek is not drinking water for Austin and that it is different from Lake Austin and Barton Creek.

VINCENT CAMMAREIR asked Council to rule in favor of the people.

BILL SCUDDER summarized the position of the Development Committee of the Austin Association of Builders as follows: (1) recognize the needs of the water recharge zone; (2) sound technical methods should be used to develop the land around the creeks; (3) there should be a minimum investment so the added cost to the buyer will be minimum. Density is a crucial question. He concluded by saying moderate priced housing is needed because if everyone moved outside of the city, it will effect our bond rating.

JAMES SHERSHUN spoke about the quality of water from the water fountains.

RAYMOND SLADE, hydrologist, discussed creeks in the area and said he would be glad to give Council a technical presentation. Mayor McClellan asked him to share any data with Council which they do not already have.

PUBLIC HEARING - HISTORIC STRUCTURE TAX ABATEMENT

Mayor McClellan opened the public hearing, scheduled for 8:00 p.m. on an amendment to Chapter 32 (Taxation) of the Austin City Code requiring minimum building standards for historic structures receiving tax abatements.

Mr. Richard Lillie, Director of Planning, addressed Council as follows: "The ordinance which was prepared indentifies some 15 criteria that must be met in order to be certified for tax abatement. It also provides that most criteria be met by January 1st. It provides in the ordinance that if the deficiencies are in the process of being corrected or the restoration of the landmark which will correct the deficiencies is scheduled and the Landmark Commission is satisfied that the work is in process within a reasonable time, the Landmark Commission can certify the landmark. The factors have to be certified no later than April 1 for the tax assessor/collector to agree to the exemption of ad valorem taxation. The ordinance was submitted to the Landmark Commission and Planning Commission and has been recommended to you."

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 32 (TAXATION) OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR ADHERENCE TO CERTAIN MINIMUM PROPERTY, STRUCTURAL AND HEALTH STANDARDS AS CONDITIONS PRECEDENT TO CERTIFICATION BY THE LANDMARK COMMISSION OF A PROPERTY'S ELIGIBILITY FOR PARTIAL EXEMPTION FROM AD VALOREM TAXATION; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.



CONNIE MOORE showed slides of the area and discussed impact on the environment.

KENT BUTLER, professor of environmental planning, told Council that Raymond Slade (see above) has presented much information to the Task Force. He said the ordinance hangs in delicate balance.

ROLAND MCRAE wondered why so much time has been spent in reviewing this issue. He pointed out that previous city ordinances have not really been enforced.

Motion

Councilmember Goodman moved that the Council close the public hearing. The motion was seconded by Councilmember Himmelblau.

Motion to Reconsider

Councilmember Goodman moved that the Council reconsider and the Council agreed unanimously.

DOROTHY HARBOE appeared and said everyone is blaming the high cost of housing on the environmentalists.

Motion

Councilmember Goodman moved that the Council close the public hearing on the Williamson Creek Watershed Development Standards. The motion was seconded by Mayor McClellan, and Council unanimously agreed.

WATER & WASTEWATER FACILITIES

Councilmember Cooke moved that the Council adopt a resolution approving the selection of the firm of Metcalf and Eddie for professional planning and engineering services and approval of a contract in connection with the Comprehensive Master Plan for Management and Development of Water and Wastewater System Facilities. CAPITAL IMPROVEMENT PROGRAM NOS. 81/22-92 and 82/23-82. The motion, seconded by Councilmember Goodman passed by unanimous vote:

AGENDA ITEMS POSTPONED

Agenda: The following Items from Council will be placed on next week's

Consider establishing Juneteenth as an official City of Austin holiday in place of Washington's Birthday. (Introduced by Councilmember Snell.)

Consider approval of \$2,000 organizational fee for East Austin Chicano Economic Development Corporation. (Introduced by Councilmember Cooke)

Amendment to the Austin Roadway Plan regarding the proposed connection between Riverside Drive and Barton Springs Road. (Introduced by Mayor Pro Tem Trevino and Councilmember Cooke)

ADJOURNMENT

Council adjourned its meeting at 12:30 A.M., December 12, 1980.

APPROVED

  
Mayor

ATTEST:

  
City Clerk